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**FEDERAL UNIVERSITY OF PETROLEUM RESOURCES,
EFFURUN, (ESTABLISHMENT) ACT, 2017**



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**FEDERAL UNIVERSITY OF PETROLEUM RESOURCES,
EFFURUN, (ESTABLISHMENT) ACT, 2017**

ACT No. 5

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY
OF PETROLEUM RESOURCES, EFFURUN ; AND FOR RELATED MATTERS

[17th Day of October, 2017]

Commence-
ment.

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

**PART I—ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN**

1.—(1) There is established the Federal University of Petroleum Resources, Effurun (in this Act referred to as “the University”).

Establishment
and
objectives of
the Federal
University of
Petroleum
Resources,
Effurun.

(2) 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.

(3) The University shall be a training institution for the development of middle and high-level manpower in the Oil and Gas sector.

(4) The University shall be supervised by the Federal Ministry of Education and shall through the National Universities Commission be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

(5) The objectives of the University are 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 education in science and technology ;

(b) develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to petroleum resources with the aim of producing socially mature, skilled personnel with capability not only to understand, use and adapt existing technology in petroleum industry, but also to improve on and develop new ones ;

(c) act as an agent and catalyst, through post-graduate training, research and innovation for the effective and economic utilisation, exploitation and conservation of the country’s petroleum resources ;

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

(e) establish appropriate relationships with other national institutions involved in training, research and development of technologies in the petroleum sector ;

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

(g) provide and promote sound basic scientific training as a foundation for the development of petroleum technology and applied sciences, taking into account indigenous culture and the need to enhance national unity ; and

(h) undertake any other activity appropriate for a University of Petroleum Resources of the highest standard.

Principal
Officers of
the
University.

2.—(1) The University shall consist of—

(a) a Chancellor ;

(b) a Pro-Chancellor and a Council ;

(c) a Vice-Chancellor and a Senate ;

(d) Deputy Vice-Chancellors ;

(e) Congregation ;

(f) Convocation ;

(g) the campuses and colleges ;

(h) the institutes and other teaching and research units of the University ;

First
Schedule.

(i) the persons holding the offices constituted under the First Schedule to this Act other than those mentioned in paragraphs (a)-(c) of this subsection ;

(j) all graduates and undergraduates of the University ; and

(k) all other persons who are members of the University in accordance with provisions made by statutes in that behalf.

First
Schedule.

(2) The First Schedule to this Act shall have effect with respect to the principal officers of the University.

(3) Subject to section 5 of this Act, provision shall be made by statute with respect to the Constitution of the Council, the Senate, Congregation and Convocation.

3—(1) For the carrying out of its objects as specified in section 1 of this Act, the University shall have powers to—

Powers of
the
University.

(a) offer courses of instruction, training and research in petroleum technology and allied areas, for the production of middle and high level manpower and other skilled personnel required to run the Oil and Gas industry in Nigeria in particular and the world at large ;

(b) establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may be deemed necessary or desirable, subject to the approval of National Universities Commission ;

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

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

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

(f) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may prescribe ;

(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 Minister ;

(h) subject to section 21 of this Act, acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate ;

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

(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, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University ;

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

(m) subject to any limitation or condition imposed by statute, invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure in any investment or security or in the purchase or improvement of land, with power, from time to time, to vary any such investment and to deposit any money for the time being not 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 money as the Council, may in its discretion, find necessary or expedient to borrow or guarantee any loan, advance or credit facility ;

(o) make gifts for any charitable purpose ;

(p) do anything which is authorised or required by this Act or by 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 Act and of the statutes and without prejudice to section 7 (2) of this Act, 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 authorised by the statute.

(3) The power of the University to establish further campuses and colleges within the University shall be exercisable only by statute.

Functions of
the
Chancellor
and Pro-
Chancellor.

4.—(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 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.

Composition,
tenure and
powers of
the Council.

5.—(1) There shall be a Council for the University consisting of :

(a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Minister of Education ;

(b) the Vice-Chancellor ;

(c) the Deputy Vice-Chancellor(s) ;

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

(e) 4 persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President from—

(i) the Nigerian National Petroleum Corporation,

(ii) Petroleum Technology Development Fund, and

(iii) 2 other persons, one of whom shall be a representative of the University host community ;

(f) 4 persons appointed by the Senate from among its members ;

(g) 2 persons appointed by Congregation from among its members ;

(h) 1 person appointed by Convocation from among its members ; and

(i) 2 persons representing the community, appointed by the President.

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

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

(4) The powers of the Council shall be exercised, as specified in this Act and the establishment circulars that are inconsistent with this Act shall not apply to the University.

(5) The Council shall be free in the performance of its functions and discharge its responsibilities for the good management, growth and development of the University.

(6) The Council, in the performance of its functions, shall ensure that disbursement of funds of the University comply with the approved budgetary ratio for—

(a) personnel costs ;

(b) overhead costs ;

(c) research and development ;

(d) library developments ; and

(e) the balance in expenditure between academic and non-academic activities.

6.—(1) Subject to the provisions of this Act relating to the Visitor, the Council shall be the governing body of the University and is charged with the general control and superintendence of the policy, finances and property of the University.

Functions of
the Council
and its
Finance and
General
Purpose
Committee.

(2) There shall be the Finance and General Purpose 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 delegate to it.

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

(4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an Annual Report is published by the University together with certified copies of the accounts as audited.

(5) Subject to the provisions of this Act and the Statutes, the Council and the Finance and General Purpose 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 Purpose Committee shall not come into force unless approved by the Council, and where such rules conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.

(7) There shall be paid to the members respectively of the Council, the Finance and General Purpose Committee and any other committee set up by the Council, such travelling allowances and other reasonable expenses, at rates as may be fixed by the appropriate authority.

(8) The Council shall meet when necessary for the performance of its functions under this Act and shall meet at least 3 times in every year.

(9) If requested in writing by at least 5 members of the Council, the Chairman shall, within 28 days after the receipt of a request, call a meeting of the Council.

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

Functions of
the Senate.

7.—(1) Subject to section 6 of this Act, subsections (3) and (4) of this section and the provisions of this Act relating to the Visitor, the Senate shall organise and control the teaching in the University, the admission of students, the discipline of students ; and promote research in the University.

(2) Without prejudice to the generality of subsection (1) of this section, the Senate shall make provisions 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 in 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 other qualifications as may be prescribed in connection with examinations held ;

(d) the making of recommendations to the Council for 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 within the control of the University ; and

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

(3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research unit 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 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 in the University, but is a teacher of the branch of learning to which the course relates at some other University of high repute, or a person engaged in practicing the profession in a reputable organisation or institution.

(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 be guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Functions of
the Vice-
Chancellor.

8.—(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 4 of this Act, except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to sections 6, 7 and 14 of this Act, the Vice-Chancellor shall have the general function, in addition to other functions conferred on him by this Act or otherwise, of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and ex-officio Chairman of the Senate.

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

Act No. 14,
2007.

(4) The Vice-Chancellor shall establish and appoint members of the Tenders' Board in line with the extant Public Procurement Act.

PART II—GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE UNIVERSITY
AND CONDITION OF SERVICE OF EMPLOYEES

General
Funds of
the
University.

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

- (a) grants-in-aid ;
- (b) fees ;
- (c) income derived from investments ;
- (d) gifts, legacies, endowments and donations ;
- (e) income derived from the exercise of any function conferred or imposed on the University by this Act ;
- (f) other amounts, charges or dues recoverable by the University ;
- (g) revenue accruing to the University by way of subvention ;
- (h) interests on investments ; and
- (i) donations and legacies accruing to the University from any source for the general or special purposes of the University.

(2) The Federal Ministry of Petroleum Resources, Petroleum Technology Development Fund and Nigerian Content Development and Monitoring Board shall provide 2% of their annual budgets for research programmes in petroleum technology acquisition, and facilities in the University.

(3) The Petroleum Technology Development Fund shall contribute at least 2% of its gross revenues for the academic and infrastructural development of the University.

(4) The general fund shall be applied for the purposes of the University.

10.—(1) All property held by or on behalf of the Council of the University shall, without further assurance, vest in the University and be held by it for the purpose of the University.

Transfer of property.

(2) The provisions of the Second Schedule to this Act shall have effect with respect to, and to matters arising from, the transfer of property under subsection (1) of this section and with respect to the other matters mentioned in that Schedule.

Second Schedule.

11. The conditions of service of employees in the University shall be in line with what is obtainable in the oil and gas industry to enable the University attract best brains for the training and research in petroleum technology.

Conditions of Service of employees.

PART III—STATUTES OF THE UNIVERSITY

12.—(1) Subject to this Act, the University may make statutes for—

Power of the University to make statutes.

(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 non-academic matter for the purposes of this Act and of any statute, regulation or other instrument made thereunder ; or

(e) making provision for any other matter for which provision by statute is authorised or required by this Act.

(2) Subject to section 28 (1) of this Act, 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 31 (1) of that Act.

Cap. 123
LFN, 2004.

(3) The Statute contained in the Third Schedule to this Act is deemed to have come into force on the commencement of this Act and is deemed to have been made under this section by the University.

Third Schedule.

(4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any

Third Schedule.

matter in or from the Statute contained in the Third Schedule to this Act or any subsequent statute.

13.—(1) The power of the University to make statutes shall be exercised only in accordance with the provisions of this section.

(2) A proposed statute shall not become law unless it has been approved at—

(a) a meeting of the Senate, by the votes of at least two-thirds of the members present and voting ; and

(b) a meeting of the Council, by the votes of at least two-thirds of the members present and voting.

(3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or 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 is approved by the President.

(5) For the purpose of section 2 (2) of the Interpretation Act, a statute shall be treated as being made—

(a) on the date on which it is duly approved by the Council after having been duly approved by the Senate ;

(b) on the date on which it is duly approved by the Senate after having been duly approved by the Council ; and

(c) in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.

(6) In the event of any doubt or dispute arising at any time as to—

(a) the meaning of any provision of a statute, or

(b) whether any matter is for the purposes of this Act an academic or non-academic matter as it relates to the doubt or dispute, the matter may be referred to the Visitor, who shall take the advice and make the decision as he thinks fit.

(7) The decision of the Visitor on any matter referred to him under subsection (6) of this section shall be binding upon the authorities, staff and

Mode of
exercising
power to
make
statutes.

Cap. 123
LFN. 2004.

students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

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

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

Proof of
Statute.

PART IV—SUPERVISION AND DISCIPLINE

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

The Visitor.

(2) The Visitor shall cause a visitation to the University when necessary, at least every 5 years, or direct that such a visitation be conducted by a person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) The bodies and persons comprising the University shall make available to the Visitor and to any other person conducting a visitation under subsection (1) of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

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

16.—(1) If it appears to the Council that a member of the Council other than the Pro-Chancellor or the Vice-Chancellor, should be removed from office on the grounds of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries as he may consider appropriate, approve the recommendation, and may direct the removal of the person in question from office.

Removal of
members of
the Council.

(2) The Minister shall use his best endeavours 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.

Removal and discipline of academic, administrative and professional staff.

17.—(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 the grounds of misconduct or inability to perform the functions of his office, the 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 3 members of the Council so request within a period of 1 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 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 remove him by an instrument in writing signed on the directions of the Council.

(3) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and the suspension shall be reported to the Council.

(4) For a good cause, any member of staff may be suspended from duty or his appointment may be terminated by the 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 performance 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 his office ;

(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—

(i) such as to constitute failure or inability of the person concerned to perform the functions of his office or to comply with the terms and conditions of his service, or

(ii) 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.

(5) Any person suspended under subsection (2) or (3) of this section shall be on half pay and the Council shall, before the expiration of a period of 3 months after the date of such suspension, consider the case against that person and come to a decision as to whether to—

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

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

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

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

(6) Where the Council, under this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall, before the expiration of a period of 3 months from such decision, come to a final determination in respect of the case concerning the person.

(7) A person by whom an instrument of removal is signed under subsection (1) of this section shall 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.

(8) Nothing in this section shall—

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

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

18.—(1) Where, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then,

Removal of
examiners.

except in such cases as may be prescribed by the Senate, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.

(2) Subject to the provisions of regulations made under section 7 (5) of this Act, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed under subsection (1) of this section.

(3) The Vice-Chancellor shall, on signing an instrument of removal under this section, 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.

19.—(1) The students shall—

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

(b) participate in various aspects of curriculum development ;

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

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

(2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University 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 directions, participate in such activities of the University, or make use of such facilities of the University, as may be specified ;

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

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

(d) student be expelled from the University.

(3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Council ; and where such an appeal is brought, the Council shall, after causing 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 deems fit.

(4) An appeal from a direction brought under 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 students' activities at the University except on the ground of misconduct.

(7) A direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section.

PART V—MISCELLANEOUS AND GENERAL PROVISIONS

20.—(1) A person shall not be required to satisfy requirements as to race, including ethnic grouping, sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student in the university; the holder of any degree of the University or of any appointment or employment in the University, or a member of any body established by virtue of this Act; and a person shall not be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.

Discrimination on account of race, religion, etc.

(2) 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 mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

21.—(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.

Application of Land Use Act Cap. L5 LFN. 2004.

(2) Where an estate or interest in land is acquired by the Government under this section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorised in that behalf, transfer it to the University.

22.—(1) 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 Act, except with the prior written consent, either general or special, of the Governor.

Cap. L5 LFN. 2004. Restriction on disposal of land by University.

(2) The consent refers to in subsection (1) of this section shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose.

Quorum and
procedure of
bodies
established
by this Act.
Committees.

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

24.—(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 to—

- (a) exercise, on its behalf, such of its functions as it may determine ; and
- (b) co-opt members.

(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 the statute or regulations, the quorum and procedure of a committee established or meeting held under 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 provisions of subsections (1), (2) and (3) of this section shall be construed as enabling the—

- (a) statutes to be made otherwise than in accordance with section 12 of this Act ; or
- (b) Senate to empower any other body to make regulations of the award of 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.

25.—(1) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retirement age of the following categories of staff shall be—

(a) Academic staff of the University in the non-Professorial Cadre shall be 65 years ;

(b) Academic staff of the University in the Professorial Cadre shall be 70 years ; and

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

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

26. An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age.

27. Where, in any of the provisions of this Act, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, every such intermediate authority shall forward any proposal or recommendation received by it under that provision to the appropriate authority; but such intermediate authority may, if it deems fit, forward its own comments thereon.

28.—(1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorised 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 presumed to be so executed.

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

(4) The validity of any proceeding of any body established under this Act shall not be affected by any vacancy in the membership of the body, 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 proceeding.

(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.

Cap. 123
LFN. 2004.

(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 under this Act.

Third
Schedule.

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

Second
Schedule.

(8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10 and 21, or the Second Schedule to this Act.

(9) Any notice or other instrument authorised to be served by virtue of this Act may, without prejudice to any other mode of service, be served by post.

Restriction
of suits and
execution.

29.—(1) A legal proceeding shall not be instituted or commenced against the University or any of its agents in the course of their official duties unless a 3 month pre-action notice of such intention is served on the University by an aggrieved party.

(2) The notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

(3) A suit shall not be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performance of his duties, unless at least 3 months has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.

(4) In any suit against the University, an execution attachment or process in that nature thereon shall not be issued against the University, but any sum of money which may be judgment of the court not awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

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

30.—(1) In this Act—

Interpretation.

“*campus*” means any campus which may be established by the University ;

“*college*” means the College established under section 2 (1) (b) of this Act for the University ;

“*Council*” means the Governing Council of the University established by section 6 (1) of this Act ;

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

“*Minister*” means the Minister responsible for petroleum resources ;

“*notice*” means notice in writing ;

“*officer*” does not include the Visitor ;

“*prescribed*” means prescribed by statute or regulations ;

“*Professor*” means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or regulations ;

“*property*” includes rights, liabilities and obligations ;

“*Provisional Council*” means the provisional council appointed for the University ;

“*Regulations*” means regulations made by the Senate or the Council ;

“*Senate*” means the Senate of the University established under section 2 (1) (e) of this Act ;

“*School*” means a unit of closely related academic programmes ;

“*Statute*” means a statute made by the University under section 12 of this Act and in accordance with the provisions of section 13 of this Act ;

“*statutes*” means all such statutes as are in force from time to time ;

“*teacher*” means a person holding a full-time appointment as a member of the teaching or research staff of the University ;

“*undergraduate*” means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate ;

“*University*” means Federal University of Petroleum Resources, Effurun, established under section I of this Act.

31. This Act may be cited as the Federal University of Petroleum Resources, Effurun, (Establishment) Act, 2017. Citation.

FIRST SCHEDULE Sections 2 (1) (i) and (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.—(1) The Pro-Chancellor and Chairman of Council shall be appointed or removed from office by the President on the recommendation by the Minister.

(2) Subject to the provisions of this Act, the Pro-Chancellor shall hold office for a period of 4 years beginning from the date of his appointment.

The Vice-Chancellor

3.—(1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall—

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

- (i) the qualities of the persons who may apply for the post ; and
- (ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration.

(b) constitute a Search Team consisting of—

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

(ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor, and

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

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

(a) the Pro-Chancellor, as chairman ;

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

(c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in

the shortlist drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council 3 candidates for further consideration.

(4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the 3 candidates recommended to it under subparagraph (3) of this paragraph and thereafter inform the Visitor.

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

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

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

(a) 3 members of the Council, one of whom shall be the Chairman of the committee ; and

(b) 2 members of the Senate : Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

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

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

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

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

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

Deputy Vice-Chancellor

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

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

(3) The Senate shall select for each vacant post 1 candidate from each list forwarded to it under sub-paragraph (2) of this paragraph and forward his name to the Council for confirmation.

(4) A Deputy Vice-Chancellor shall—

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

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

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

(5) A Deputy Vice-Chancellor—

(a) shall hold office for a period of 2 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment ;

(b) may be reappointed for one further period of 2 years and no more ;

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

(d) “good cause” for the purpose of this paragraph means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

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

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

Other Principal Officers of the University

6.—(1) There shall be for the University other principal officers, in addition to the Registrar—

(a) Bursar ; and

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

(2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

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

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

Selection Board for other Principal Officers

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

- (a) the Pro-Chancellor, as chairman ;
- (b) the Vice-Chancellor ;
- (c) 4 members of the Council not being members of the Senate ; and
- (d) 2 members of the Senate.

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

(3) The Registrar, Bursar and Librarian shall hold office for a single term of 5 years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.

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

Resignation and Re-appointment

8.—(1) Any officer mentioned in the provisions of this Schedule may resign his office in—

- (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor : and

(b) any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.

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

SECOND SCHEDULE

Sections 10 (2) and 28 (8)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1.—(1) Without prejudice to the generality of section 9 (1) of this Act :

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

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

(2) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.

(3) Documents not falling within subparagraph (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that subparagraph so far as applicable.

(4) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of Transfers

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

(2) The body to which any property is transferred by this Act shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

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

(2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Act shall have been duly constituted.

(3) The first meeting of the Senate as constituted by this Act 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 Act shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Act shall have been duly constituted.

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

(6) Persons who were Deans or Associate Deans of Colleges, Schools or members of College/School Boards shall continue to be Deans or Associate Deans or become members of the corresponding College/School Boards, until new appointments are made under the statutes.

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

THIRD SCHEDULE

Sections 12 (3), (4) and 28(7)

FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN
STATUTE NO. 1

ARRANGEMENT OF ARTICLES

ARTICLES

1. The Council.
2. The Finance and General Purpose Committee.
3. The Senate.
4. The Congregation.
5. Convocation.
6. Division of Colleges and Schools.
7. College and School Boards.
8. Dean of the College and School.
9. Selection of certain Principal Officers.
10. Creation of academic posts.
11. Appointment of academic staff.
12. Appointment of administrative and professional staff.
13. Interpretation.
14. Citation.

The Council

1.—(1) The composition of the Council shall be as provided in section 5 of this Act.

(2) Any member of the Council holding office other than under section 5 (a), (b), (c), or (d) of this Act may, by notice to the Council, resign his office.

(3) A member of the Council holding office otherwise than under section 5 (a), (b), (c), or (d) of this Act shall, unless he previously vacates it, vacate that office on the expiration of the period of 4 years beginning from 1 August in the year which he was appointed.

(4) Where a member of the Council holding office otherwise than under section 5 (a), (b), (g), or (h) of this Act vacates office before the expiration of the period mentioned, 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 may be eligible for re-appointment for only one further period of 4 years.

(6) The quorum of the Council shall be 5, at least 1 of whom shall be a member appointed under section 5 (d) or (e) of this Act.

(7) Where 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 this Act and the 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 may co-opt not more than 2 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.

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 Deputy Vice-Chancellors ;

(c) 6 other members of the Council appointed by the Council, 2 of whom shall be selected from among the 4 members of the Council appointed by the Senate and one member appointed to the Council by Congregation ;

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

(e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.

(2) The quorum of the Committee shall be 5.

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

Annual Budget and Estimates, etc.

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

Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

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

Gifts, Donations, etc.

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

(7) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given : Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation.

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

Payment into Bank

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

Audit

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

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

The Senate

4.—(1) The Senate shall consist of—

- (a) the Vice-Chancellor ;
- (b) Deputy Vice-Chancellors ;
- (c) the Deans of several Colleges ;
- (d) the Professors in the University ;

- (e) Heads of Academic Departments and units ;
- (f) the University Librarian ;
- (g) one elected representative of each College ;
- (h) 2 members of Academic Staff elected by the Congregation ;
- (i) the persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor and approved by Senate ;
- (j) 2 members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor ; and
- (k) Registrar as Secretary.

(2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.

(3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.

(4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter ; and subject to subparagraph (3) of this Article, the Senate may regulate its own procedure.

(5) An elected member may, by notice to the Senate, resign his office.

(6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may, from time to time, determine.

(7) An elected member shall hold office for the period of 2 years beginning from 1 August in the year of his election, and may be a candidate at any election held under paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office, he will have held office as an elected member for a continuous period of 6 years or would have so held office if he had not resigned it.

(8) No election shall be held under this article in any year if the number specified in the certificate given under paragraph (11) of this article does not exceed by more than one of the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year under paragraph (7) of this article.

(9) No person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as all elected member.

(10) Where so requested in writing by any 15 members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day from the date of which the request was received.

(11) In this article, total of non-elected members means as respect any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day other than as elected members.

Congregation

5.—(1) Congregation shall consist of—

- (a) Vice-Chancellor ;
- (b) the Deputy Vice-Chancellors ;
- (c) the full-time members of the academic staff ;
- (d) the Registrar ;
- (e) the Librarian ; and
- (f) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognised for the purposes of this statute by the Vice-Chancellor.

(2) Subject to section 4 of this Act, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.

(3) The quorum of Congregation shall be one-third or the whole number nearest to one third of the total number of members of Congregation of 50, whichever is less.

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

- (a) the total number of members of Congregation for the purpose 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) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.

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

(7) Congregation shall be entitled to express by resolutions 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

6.—(1) Convocation shall consist of—

(a) the officers of the University mentioned in the First Schedule to this Act ;

(b) all teachers within the meaning of this Act ;

(c) all other persons whose names are registered in accordance with sub-article (2) of this article.

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

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

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

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

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of sub-article (1) (a) or (b) of this article are entered and retained on the register.

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

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

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

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

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

Division of Colleges

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

College or School Boards

8.—(1) There shall be established, in respect of each College or School, a Board of Studies which, subject to the provisions of this Statute, and 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 college ;

(b) deal with any other matter assigned to it by statute or Vice-Chancellor or 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 College School or Board of Studies shall consist of—

(a) the Vice-Chancellor ;

(b) the Dean ;

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

(d) the teachers assigned to the college and having the 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 8 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 any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

9.—(1) The Board of each College shall, at a meeting in the last term of any academic year 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 the Senate as Dean of the College.

(2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.

(3) The Dean shall hold office for 2 years and shall be eligible for re-appointment one further period of 2 years and thereafter, he shall not be eligible for re-appointment until 2 years have elapsed.

(4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.

(5) The Dean shall present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.

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

(7) The Dean of a College may be removed from office for good cause by the College 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 a Dean, an acting Dean may be appointed by the Vice-Chancellor: Provided that at the next College Board meeting, an election shall be held for a new Dean.

(8) In this article, "good cause" has the same meaning as in section 17 (3) of the Act.

Departmental Board of Studies

10.—(1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.

(2) The Departmental Board of studies shall be headed by a Professor who shall be appointed by the Vice-Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.

(3) For a Professor, the term is for 3 years while 1 year is for acting capacity.

(4) The Board shall superintend over all teachings and examinations in the Department.

(5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.

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

*Selection of Directors of Physical Planning and Development,
Works and Services and Health*

11.—(1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of—

- (a) the Pro-Chancellor ;
- (b) the Vice-Chancellor ;
- (c) 2 members appointed by the Council, not being members of the Senate ; and
- (d) 2 members appointed by the Senate.

(2) The Selection Board, after making such inquiries as it deems 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.

Tenure of Directors

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

Creation of Academic Posts

13. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purpose Committee.

Appointment of Academic Staff

14. (1) Subject to this Act and statutes, the filling of vacancies in academic posts, including newly created ones, shall be the responsibility of the Council through the Departments and Colleges.

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

(3) For appointment to Professorship, Associate Professorship or Readership or equivalent posts, a Board of Selection, with power to appoint, shall consist of—

(a) the Vice-Chancellor as Chairman ;

(b) Deputy Vice-Chancellor ;

(c) the Dean of the College ;

(d) Head of Department ;

(e) such other persons, not exceeding 2 in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may, from time to time, appoint ; and

(f) Registrar as the Secretary.

(4) For other academic posts, a Selection Board, with power to appoint, shall consist of—

(a) the Vice-Chancellor or his representative as Chairman ;

(b) The Dean of the College ;

(c) Head of the Department concerned ;

(d) an internal member of Council, not below the Rank of Senior Lecturer from the sister college in the candidate's subject-area ; and

(e) Registrar or his representative as the Secretary.

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

(6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readership or equivalent posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered and quorum shall be 3 including the Chairman.

Appointment of Administrative and Professional Staff

15.—(1) The administrative and professional staff of the University, other than principal officers shall be appointed by the Council or, on its behalf, by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.

- (2) A Selection Board, with power to appoint, shall consist of—
- (a) Vice Chancellor ;
 - (b) Deputy Vice-Chancellor ;
 - (c) Registrar ;
 - (d) Bursar ;
 - (e) University Librarian ;
 - (f) the Head of Department concerned ; and
 - (g) Establishment and Human Resources Officer who shall serve as Secretary.
- (3) The quorum shall be 3 including the Chairman.

Interpretation

16. In this Statute, the word “Act” means the Federal University of Petroleum Resources, Effurun, (Establishment) Act and any word or expression defined in the Act has the same meaning in this Statute.

Citation

17. This Statute may be cited as the Federal University of Petroleum Resources, Effurun, (Establishment) Statute No. 1.

I certify, in accordance with section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

MUHAMMED ATABA SANI-OMOLORI
Clerk to the National Assembly
26th Day of September, 2017.

EXPLANATORY MEMORANDUM

This Act establishes the Federal University of Petroleum Resources, Effurun for the development of middle and high level manpower in the Oil and Gas sector in Nigeria.

**SCHEDULE TO FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN,
(ESTABLISHMENT) BILL, 2017**

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
Federal University of Petroleum Resources, Effurun, (Establishment) Bill, 2017.	An Act to provide for the establishment of the Federal University of Petroleum Resources, Effurun ; and for related matters.	This Bill establishes the Federal University of Petroleum Resources, Effurun for the development of middle and high level manpower in the Oil and Gas sector in Nigeria.	16th May , 2017.	14th June, 2017.

Federation of Nigeria, 2004.

ASSENT



MUHAMMID ATABA SANI-OMOLORI
Clerk to the National Assembly
26th Day of September, 2017

MUHAMMID BUIARI, GCFR
President of the Federal Republic of Nigeria
17th Day of October, 2017