

2001 - ADAMAWA STATE UNIVERSITY LAW

ARRANGEMENT OF SECTIONS

PART I: PRELIMINARIES

Section

1. Citation and Commencement
2. Interpretation

PART II: ESTABLISHMENT, POWERS AND FUNCTIONS OF THE UNIVERSITY

3. Establishment of the University
4. Objectives of the University
5. Functions of the University
6. Constituent bodies and principal officers of the University
7. Powers of the University

PART III: ADMINISTRATIVE PROVISIONS

8. Functions of the Chancellor and Pro-chancellor
9. Functions of the Council and its Finance and General Purposes Committee
10. Functions of the Senate
11. Functions of the Vice- Chancellor
12. Power of the University to make Statutes
13. Mode of exercising power to make statutes
14. Proof of Statute
15. The Visitor
16. Power of the Visitor to decide meaning of Statute
17. Removal of certain members of Council
18. Removal and discipline of academic, administration and professional staff
19. Removal of examiners
20. Discipline of students.

PART IV: FINANCIAL PROVISIONS

21. Funding
22. Restriction on disposal of Land by the University

23. Quorum and procedure of bodies established by the Law
24. Appointment of Committees
25. Miscellaneous administrative provision.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

A Law to establish the Adamawa State University and to pro-vide for matters incidental thereto.

PART I: PRELIMINARIES.

[21st January, 2002]

BE IT ENACTED by the House of Assembly of Adamawa State of Nigeria and by the authority of same as follows:

1. This Law may be cited as the Adamawa State University Law, 2001 and shall come into operation on the 21st day of January, 2002.

2. In this Law, unless the context otherwise requires:-.

"Campus" means any Campus, which may be establish by the University;

"College" means any College, which may be establish by the University;

"Commissioner" means the Commissioner charged with the responsibility for Education;

"Council" means the Council established by this Law for the University;

"Governor" means the Executive Governor of Adamawa State;

"Graduate" means a person, on whom a degree (other than honorary degree), has been conferred by the University;

"Immediate family" means wife and children of staff;

"Lecturer" means a person holding a full time appointment as a member of the teaching or research staff of the University;

"Notice" means notice in writing;

"Officer" means staff of the University but does not include the Visitor;

"Professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by statute or by-regulation;

"Property"- means that which is capable of ownership by the University and includes liabilities

and obligations;

"Regulation" means the regulation made by the Senate or Council;

"Senate" means the Senate of the University established pursuant to section 10 of this Law;

"State" means Adamawa State of Nigeria;

"Statute" means statute made by University under section 12 of this law and in accordance with the provisions of section 13 of this law and "Statute" means all such statutes as are in force from time to time;

"Undergraduate" means a student member of the University who has not taken degree other than:-

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purpose of this definition;

"University" means the Adamawa State University as established and constituted by this Law.

PART II: ESTABLISHMENT, POWERS AND FUNCTIONS OF THE UNIVERSITY

3. There is hereby established for the State the Adamawa State University which shall be a body corporate with perpetual succession and a common seal with power to sue and be sued in its corporate name.

4. The objectives for which the University is established shall be:

- (a) to encourage and promote the advancement of learning and hold out to all persons without distinction of race, creed, sex, religious or political conviction the opportunity of acquiring a University education;
- (b) to provide courses of instruction and other facilities for the pursuit of learning in all its branches and to make those facilities available on proper terms to such persons as are equipped to benefit from them;
- (c) to provide read)' access for the State indigenes to higher education;
- (d) to encourage and promote -scholarship and con-duct research in all fields of learning and human endeavour;
- (e) to relate its courses to the social, cultural and economic needs of the people of the State; and
- (f) to undertake any other course appropriate for a University of the highest standard.

5. (1) The University shall be both a teaching and examining body and shall, subject to the provisions of this Law and statutes have the following functions:—

- (a) to provide— instructions in such branches of learning as the University may think fit whether for members of the University or for others, and to make provision for research and for preservation, advancement and dissemination of knowledge in such manner as the University may determine;
- (b) to prescribe in its statutes the condition under which persons may be admitted as students of the University for any particular course of study provided by the University;
- (c) to grant, under the conditions laid down in this Law or its statutes degrees diplomas, certificates and other academic distinctions to persons who shall have pursued a course of study approved by the University and shall have passed the examination or other tests prescribed by it;
- (d) to grant to approved persons, under conditions laid down in this Law or in its statutes, honorary degrees or other academic distinctions;
- (e) on what the Council and the Senate shall consider to be good cause to deprive persons of any degree, diplomas, certificates or other academic distinctions granted to them by the University;
- (f) to accept the examination and—period of study passed by the students of the University at other institutions, universities or place of learning as equivalent to such examinations and periods of study in the University as the Senate may determine and to withdraw such acceptance at any time;
- (g) to enter into any agreement for the incorporation or affiliation to or within the University of any institution and for taking over its rights, properties and liabilities.
- (h) to join with other institution, university, public or private body, authority or association having in view or promoting any purpose or to appoint one or more representatives to sit on any such body, institution, university, body, authority or association, in either case for such purposes as may be agreed upon or as may be provided by the law on such terms and conditions as may from time to time be prescribed by statute;
- (i) to institute such offices as the purposes of the University may require and to appoint persons to and remove them from such offices and to prescribe their conditions of service;
- (j) to prescribe rules for the discipline of students of the University.
- (k) to establish maintain, administer, govern and supervise places of residence for

officers and students of the University:

(l) to institute and award fellowships, scholarship, studentship, prizes and other aids to study and research;

(m) to make provision for research, design, development, testing, advisory and consultancy services and with these objects to enter into such arrangements with other institutions or public bodies as may be thought desirable and to charge to the users of such services such fees as may be thought desirable;

(n) to print, reproduce and publish works of research and such other works as may from time to time be thought fit by the University;

(o) to sell or provide for reward or otherwise such books stationary and other services as may be deemed expedient and consistent with objects of the University;

(p) to demand and receive fees and procure contributions to the funds of the University and to raise money in such other manner as the University may deem fit;

(q) to act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research, or otherwise in furtherance of the work and welfare of the University, and to invest any funds representing same in accordance with the provision of the statutes;

(r) to do all such other acts or things whether or not incidental to the foregoing powers as may advance the objects of the University.

(2) Without prejudice to the provisions of the last proceeding subsection the University may, by special arrangement, agreement or affiliation with any other institution or University prepare its students for the degrees or certificates of such other institutions or University.

6. (1) The University shall be composed of the following constituent bodies, and principal officers to wit: –

- (a) Chancellor;
- (b) a Pro-Chancellor and Council;
- (c) a Vice-Chancellor and Senate;
- (d) a body to be called Congregation;

- (e) a body to be called Convocation;
 - (f) the Registrar and Librarian;
 - (g) the Campuses and Colleges of the University;
 - (h) the faculties, schools, institutes, departments and other teaching and research units of the University;
 - (i) the persons holding the offices constituted by the First Schedule to this Law other than those mentioned in paragraph (a) to (c) of this subsection;
 - (j) all graduates and undergraduates; and
 - (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf
- (2) The First Schedule to this Law 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.

7- (1) For the carrying out of its objects as specified in Section 4 of this Law, the University shall have power:-

- (a) to establish such campuses, colleges, faculties, institutes, academic departments, schools, extra-mural departments and other teaching and research units within the University as from time to time deem necessary;
- (b) to institute professorships, leadership, lectureship and other post and offices and to make appointments thereto;
- (c) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (d) to provide for the discipline, condition of service and welfare of members of the University;
- (e) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (f) to grant honorary degrees, fellowships of academic titles;
- (g) to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to

time determine subject to the overall directives of the Governor;

(h) subject to the provisions of this law, to acquire, hold, grant, charge or otherwise deal with or dispose of movable or immovable property wherever situated;

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

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

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

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

(m) subject to any limitations or conditions imposed by 'the statute to invest any moneys appertaining to the University by way of endowment, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments, and to deposit any moneys for the time being un-invested with any bank on deposit or current account;

(n) to borrow, whether with interest or not and if need be upon security of any or all of the property movable or immovable of the University, such money as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

(o) to make gift for any charitable purpose;

(p) to arrange for the general welfare of the immediate family of members of staff;

(q) to do anything which is authorized or required by this law or by statute to do; and

(r) to make such laws and do such things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

(2) Subject to the provisions of this Law and of the statutes and without prejudice to section 7 of this law, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by statute.

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

PART III: ADMINISTRATIVE PROVISIONS

8. The Chancellor shall, in relation to the University, and when he is present shall preside at all meetings of convocation held for conferring degrees. The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and except the Vice-Chancellor when acting as Chairman of congregation or convocation, the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council.

9. (I) Subject to the provisions of this Law 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 Finance and General Purposes Committee, which shall, subject to the directions of the Council exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.

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

(4) The Council shall ensure that proper accounts of the University are audited annually by an independent firm of Auditors appointed by the Council and in accordance with guidelines supplied by the Auditor-General of the State, and that an annual report is published by the University With certified copies of the said accounts audited.

(5) Subject to this Law and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made Under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the directions of the Council shall prevail.

(7) There shall be paid to the members of the Council and of the Finance and General Purposes Committee and any other Committees set up by the Council, allowances in respect of

travelling and other reasonable expenses at such rates as may from time to time be fixed by the Council.

(8) The Council shall meet as and when necessary for the performance of its functions under this Law, but shall meet at least three times in a year.

(9) If requested in writing by any five members of the Council, the Chairman shall within twenty-eight days after the receipt of such request call a meeting of the Council. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at the meeting.

10. (1) Subject to section 5 of this Law and subsections (3) and (4) of this section, and to the provisions of this Law relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching of the University, the admission (where no other enactment provides to the contrary) of students and the discipline of students, and to promote research at the University.

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

- (a) the establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
- (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
- (c) the award of degrees and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
- (d) the making of recommendations to the Council with respect to any person of an honorary fellowship or honorary degree or the title professor emeritus;
- (e) the establishment, organization and control of halls of residence and similar institutions at the University;
- (f) the supervision of the 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 purpose of the University, and regulating the use of the academic dress.

(3) The Senate shall not establish any new campus, college, faculty, department; school

institute or other teaching and research unit of the University without the approval of the Council.

(4) Subject to this Law 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 by this Law or by statute.

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

(6) Subject to 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.

11. (1) The Vice-Chancellor shall in relation to the University, take precedence before all other members of the University Vice-Chancellor except the Chancellor and subject to section 8 of this Law except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to the provisions of this Law the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Law or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate.

STATUTES OF THE UNIVERSITY

12. (1) Subject to this Law, 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) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Law and any statute, regulation or other

instrument made thereunder; or

(d) making provision for any other matter for which provision is authorized by statute or this Law;

(e) regulating the admission of the University and their discipline and welfare.

(2) Subject to the provisions of this Law, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Law.

(3) The statute contained in the Third Schedule to this Law shall be deemed to have come into force on the commencement of this Law and shall be deemed to have been made under this section.

(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 matter in or from the statute contained in the Third Schedule to this Law or any subsequent statute.

13. (1) The power of the University to make statutes shall be exercised in accordance with the provision 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) of this section by either one of those bodies before the other.

(4) A statute which:—

(a) makes provision for or alters the composition or constitution of the Council, and 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 State Executive Council.

(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is duly, approved by the Council, after having been duly approved by the Senate or on the date at which it is duly approved by the Senate after having

been duly approved by the Council, as the case may be or in the case of a statute falling within subsection (4), of this section, on the date which it is approved by the State Executive Council.

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

THE VISITOR

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

(2) The Visitor shall as often as the circumstances may require, conduct a visitation of the University or direct that such a visitation be conducted by such person as the Visitor may deem fit and in respect of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University:-

- (a) to make available to the Visitor, or to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation; and
- (b) to give effect to any instruction consistent with the provisions of this Law which may be given by the Visitor in consequence of a visitation.

16. (1) In the event of any doubt or dispute arising at anytime as to the meaning of any provision of a statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.

(2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any court of Law in Nigeria; provided that nothing in this subsection shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria.

(3) Subsection (1) and (2) of this section shall apply in relation to any doubt or dispute as to whether any matter is for the purposes of this Law an academic or non-academic issue.

DISCIPLINE

17. (1) If it appears to the Council that a member of the Council (other than the Pro-chancellor or Vice-chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect-through the Honourable Commissioner for Education to the Executive Council of the State and if the Executive Council after making such enquiries (if any) as may be considered appropriate approves the recommendation it may direct the removal of the person in question from office.

(2) It shall be the duty of the Commissioner to 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.

18. (1) If it appears, to the Council that there are reasons for believing that any person employed as a member of the academic or administrative or professional staff of the University, other than the Vice chancellor, should be removed from his office or employment on the grounds of misconduct or of inability to perform the function of his office or employment the Council shall:-

- (a) give notice of those reasons to the person in question
- (b) afford an opportunity of making representations in person on the matter to the Council; and
- (c) the Council shall set up a committee to investigate the matter and report to it; and
- (d) the person in question shall 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 re-moved as aforesaid, the Council may so remove him .by an instrument in writing signed on the directions of the Council.

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

(3) For good cause, any member of staff may be suspended from his duties or appointment may be terminated by the Council, and for the purpose of this subsection "good cause" means:-

- (a) conviction for any offence that 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, is such as to constitute failure or inability of the person concerned to discharge the function of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section 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); or
 - (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; or
 - (c) whether to terminate the appointment of the person concerned in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine, and in any case where the Council pursuant to this section decides to continue a person's suspension or decides to take further disciplinary action against a person, it shall before the expiration of a period of three months from such decision come to final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section 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 provision of this section shall prevent the Council from making regulation for the discipline of other categories of staff and workers of the University as may be prescribed.

19. (1) If, on the recommendation of the Senate, it appears to the Vice-chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his

office, or appointment, then, except in such cases as may be pre-scribed, he may, after affording the examiner an opportunity of making representation on the matter to the Vice-Chancellor, re-move the examiner from the appointment by an instrument in writing signed by the Vice-chancellor and subject to the provision of regulations made in pursuance of this law, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in place of the examiner removed in pursuance of this subsection.

(2) It shall be the duty of the Vice-Chancellor on signing an instrument of removal in pursuance of this section, 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.

20. (1) Subject to the provision 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 specified; or
- (b) that the activities of the student shall, during such period as may be/specified in the direction, be restricted in such manners 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) of this section in-respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the Council; and where such an appeal is brought the Council shall, after causing such inquiry to be made in the matter as the Council considers just, may either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

(3) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection shall not affect the question of the direction while the appeal is pending.

(4) The Vice-chancellor may delegate his powers under this University as he may so 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 grounds of misconduct.

(6) It is hereby declared that a direction under subsection (1) (a) of this section, may be combined with a direction under subsection (1) (b) of this section.

PART IV: FINANCIAL PROVISIONS

21. (1) the finding of the university shall be through the following sources:

- (a) Tution fee
- (b) Grants from the State
- (c) 5% of Statutory allocation of Local Governments in the State
- (d) 2% of Education Tax from charges on Guests in Hotels in the State
- (e) 2.5% on contracts accorded by state and Local Government
- (f) As the Council may from time to time determine;

MISCELLANEOUS PROVISIONS

22. (I) Without prejudice to the provision of the Land Use Act the University shall not dispose of or change any land (including any land transferred to the university by this Law) except with prior written consent, either general or special the State Executive Council.

(2) Provided that such consent shall not be required in the case of any lease or tenancy at a rent first term not exceeding twenty-one years or any lease or tenancy University for residential purposes.

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

24. (1) Anybody or persons established by this Law shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of the members of that body, and to authorise a committee established by it:–

- (a) to exercise on its behalf, such of its function 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, for the appointment of committee 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 those bodies or any of them,

(3) Except as may be otherwise provided by the statute or by regulation, 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 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 13 of this Law; 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 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) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor; and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-chancellor, Registrar or any other person authorised by the Senate.

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

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

(4) The validity of any proceedings of any body established in the pursuance of this Law shall not be affected by any vacancy in the membership of the body or any defect in the appointment of a member of the body or by reason that any person not entitled to do so take 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

participate in deliberation or vote on any question relating to the matter.

(6) The power conferred by this Law to make statute (including the statute contained in the Third Schedule to this Law) or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation, and statute and regulations may make different provision in relation to different circumstances.

(7) Any notice or other instrument authorized to be served by virtue of this Law may, without prejudice to any other mode of service be served by post.

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

1. (1) *The Chancellor:*

The Chancellor shall be appointed by the Governor in consultation with the State Executive Council.

(2) The Chancellor shall hold office for a period of four years.

(3) If it appears to the Visitor that the Chancellor should be removed from office on the ground of misconduct or of inability to perform the functions of his office, the Visitor may by notice in the State Gazette remove the Chancellor from office.

The Pro-Chancellor:

2. (1) The Pro-Chancellor shall be appointed or removed by the Governor.

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

The Vice-Chancellor:

3. (1) Subject to the provision of this paragraph the Vice-Chancellor shall be appointed by the Governor from a list of three nominee submitted to him by the Council. Subsequent Vice-Chancellors shall be appointed or removed by the Governor upon recommendation of the Council.

(2) The Vice-Chancellor shall hold office for one term of five years and thereafter he shall no longer be eligible for re-appointment until at least four years have elapsed since the last held office as Vice-Chancellor.

(3) Subject to this paragraph, the Vice-Chancellor shall hold office on such terms as to emoluments and otherwise as may be specified in his instrument of appointment.

Deputy Vice-Chancellor:

4. (1) They shall be nominated by the Vice-Chancellor, approved by the Senate and appointed by the Council of the University.
- (2) Their tenure of office shall be two years, renewable only once.
- (3) They shall assist the Vice-Chancellor in the day to day administration of the University and perform such other duties as will be directed by the Vice-Chancellor and shall, in the absence of the Vice-Chancellor act as Vice-Chancellor.

OTHER PRINCIPAL OFFICERS OF THE UNIVERSITY

5. (1) There shall be 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 sub-paragraph (2) of this paragraph.
 - (a) The Registrar shall hold office for a term of four years and may be re-appointed by the Council for a second term.
 - (b) The person holding the Office of Registrar shall by virtue of that office be secretary to the Council, Senate, Congregation and Convocation.
- (2) (a) There shall be a Bursar, who shall be the chief financial officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of financial affairs of the University.
 - (b) The Bursar shall hold office for a term of four years and may be re-appointed by the Council for a second term.
- (3) (a) There shall be a Librarian who shall be responsible to the Vice-Chancellor for the administration of the University library and the co-ordination of all the library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
 - (b) The Librarian shall hold office for a term of four years and may be re-appointed by the Council for a second term..
- (4) 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.
- (5) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

RESIGNATION AND RE-APPOINTMENT

6. (1) Any officer mentioned in the forgoing provision of this Schedule may resign his office;
- (a) in the case of the Chancellor and Pro-Chancellor by notice to the Governor; and
 - (b) in any other case, by notice to the Council and the Council shall immediately notify the Executive Council in the case of Vice-Chancellor.
- (2) Subject 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.
7. The Governor may remove any officer in the foregoing provision of this Schedule.

SECOND SCHEDULE

PROVISION AS TO PROPERTY, FUNCTIONS ETC.

Transfer of property to University

1. Without prejudice to the generality of the provisions of this Law:-
- (a) the reference in that subsection to the property held by the Implementation Committee shall include a reference to the right to receive and give a good discharge for any grants or contributions which have been voted or promised to the Implementation Committee.
 - (b) all debts and liabilities of the Implementation Committee put-standing shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Implementation Committee was a party shall, so far as possible and subject to any necessary modifications, have effects as if the University had been a party thereto in place of Implementation Committee.
- (2) Documents riot falling within sub-paragraph (1) of this paragraph, including enactment, which refer whether specially or generally to the Implementation Committee shall be construed in accordance with that sub-paragraph so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Implementation Committee may be continued by or against the University.

Registration of Transfers and Transitional Provisions

3. If the Law in force at the place where any property transferred by this Law is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the Law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property aforesaid, and it shall be the duty of the body to which any property is transferred by this Law to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

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

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

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

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

(6) Persons who were deans or associate deans of faculties or schools or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointments are made in pursuance of the statutes.

(7) Any person who was a member of the staff of the University as established or was otherwise employed by the Implementation Committee 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 a member of that staff as such an employee.

THIRD SCHEDULE

ADAMAWA STATE UNIVERSITY STATUTE No. 1

ARRANGEMENT OF ARTICLES

Article

1. The Council
2. The Finance and General Purposes Committee v
3. The Senate
4. Congregation
5. Organisation of Faculties and Branches thereof
6. Faculty Boards
7. Dean of Faculty
8. Selection of Certain Principal Officers
9. Creation of Academic posts
10. Appointment of Academic Staff
11. Appointment of Administrative and Professional Staff
12. Interpretation
13. Short title.

THE COUNCIL

1. (1) The Council shall consist of:

- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor and Deputy Vice-Chancellors, (Administration and Academic)
- (c) four persons representing a variety of relevant interests and broad representatives of the State appointed by the Governor;
- (d) one person appointed by the congregation from among the members of that body;
- (e) one person appointed by the convocation from among the members of that body;
- (f) one representative of the Ministry of Education;
- (g) one representative of the Ministry of Justice; and
- (h) four persons appointed by the Senate from among the members of the body.

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

(3) A member of the Council holding office otherwise than in the pursuance of paragraph (1) (a), (b), (f), (g) or (h) of this article shall, unless he previously vacates it, vacates that office

on the expiration of the period of four years beginning with effect from 1st August in the year which he was appointed.

(4) Where a member of the Council holding office otherwise than in the pursuance of paragraph (1) (a), (b), (f), (g) or (h) of this article 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 five at least one of whom shall be a member appointed pursuant to paragraph (1) (c), (f), (g) or (h) of this article.

(7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the Chairman at that meeting, and subject to section 23 of the Law and the foregoing provision of this paragraphs, the Council may regulate as 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.

The Finance and General Purposes Committee

2. (1) The Finance-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, Deputy Vice-chancellors (Administration and Academic);
- (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members, of the Council appointed by the Senate and one member appointed to the Council by the Congregation;
- (d) one representative of the Ministry of Education.

(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.

The Senate

3. (1) The Senate shall consist of:-

- (a) the Vice-chancellor and Deputy Vice-chancellors (Administration and

- Academic);
 - (b) the Deans of the several faculties;
 - (c) the Directors of the several institutes;
 - (d) the Professors;
 - (e) the Librarian;
 - (f) persons for the time being holding such appointments as the staff of the University as may be specified by the Vice-chancellor;
 - (g) such teachers of senior lecturer rank and above (not being more than two in respect of each faculty) as may be elected from among the members of each faculty, the total number thereof to be determined from time to time by the Senate.
- (2) The Vice-chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence 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) of this article, the Senate may regulate its own procedure.
- (4) Subject to paragraph (6) of this article, there shall be elections for selection for elected members which shall be 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.
- (5) An elected member shall hold office for the period of two years beginning with 1st August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (4) 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 (4) years or would have so held office if he had not resigned it.
- (6) If so requested in writing by any ten members of the Senate, the Vice-chancellor or in his absence, a person duly appointed by him, convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregation

4. (1) Congregation shall consist of:
- (a) the Vice-chancellor and Deputy Vice-Chancellors;
 - (b) the full time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;

(e) every member of the administrative staff who holds degree of any University recognised for the purposes of this statute by the Vice-chancellor, not being an honorary degree.

(2) Subject to section 8. of the Law, the Vice-chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence such other member of Congregation present at the meeting as the 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.

(4) A certificate signed by the Vice-chancellor specifying:-

(a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or

(b) the names of the persons who are members of the Congregation during a particular period, shall be conclusive evidence of the number or, as the case may be of the names of those persons.

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

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

Convocation

5. (1) Convocation shall consist of:

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

(b) all teachers within the meaning of the Law; and

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

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

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

(b) he applied for the registration of his name in the prescribed manner and pays the prescribed fees; and regulations shall provide for the establishment and

maintenance of a register for this paragraph and paragraph (3) of this article may provide for this paragraph and paragraph (3) of this article may provide for the payment from-to-time of further fees by the person 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.

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

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

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

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

(7) Subject to section 8 of the Law, 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.

(8) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided.

Organization of Faculties and Branches thereof

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

Faculty Boards

7. (1) There shall be established in respect of each faculty, a Faculty Board, which, subject to the provisions of this statute, and subject to directions of the Vice-chancellor, shall :-

- (a) regulate the teaching and study of; and the conduct of examination connected with the subject assigned to the Faculty;
- (b) deal with any other matter assigned to it by statute or by the Vice-chancellor or by the Senate.

(c) advise the Vice-chancellor or the Senate on any matter referred to it by the Vice-chancellor or the Senate.

(2) Each Faculty Board shall consist of:-

- (a) the Vice-chancellor;
- (b) the persons severally in charge of the branches of the Faculty;
- (c) such of the teachers assigned to the Faculty and having the pre-scribed qualification as the Board may determine; and

(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 provision of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of the Faculty:

8. (1) The deans of a faculty shall be elected from among the professors by the faculty board and such dean shall hold office for a term of two years and shall be eligible for re-election for another term of two years after which he may not be elected again until two years has elapsed.

(2) In the absence of a Professor, the office of the dean of the faculty shall be held in rotation by members of the faculty on the basis of seniority as determined by the Senate and appointed by the Vice-Chancellor.

(3) The dean shall be the chairman at all meetings of the faculty board when he is present and he shall be a member of all committees and other boards appointed by the faculty.

(4) The dean shall exercise general superintendence over the academic and administrative affairs of the faculty. It shall be the function of the dean to present to Convocation for 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 faculty.

(5) There shall be a committee to be known as Committee of Deans and Academic Directors and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council by Senate.

(6) The dean of a faculty may be removed from office for good cause by a 2/3 majority of the faculty board after a vote would have been taken at a meeting of the board and in the event of a vacancy occurring following the removal of the dean, an acting dean may be appointed by the Vice-Chancellor.

(7) In these articles, good cause has the same meaning as section 18(3) of the law.

Selection of certain Principal Officers:

9. (1) When a vacancy occurs in the office of the Registrar, Bursar, Librarian or Director of Works, a election Board shall be constituted by the Council and shall consist of:-

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

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

Creation of Academic Posts

10. Recommendations for the creation of posts other than those mentioned in article 9 of this statute shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

11. Subject to the Law and the statutes'/the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by statutes.

Appointment of Administrative and Professional Staff

12. The administrative and professional staff of the University, other than those mentioned in article 9 of this statute, shall be appointed by the Council or on its behalf by, the Vice-chancellor or the Registrar in accordance with any delegation of power made by the Council in that behalf.

Interpretation

13. hi this -statute, the expression "the Law" means the Adamawa State University Law and any expression defined in the Law has the same meaning in this statute^

Short Title:

14. This statute may be cited as the Adamawa State University Statute No. 1.

This printed impression has been carefully compared by me with the Bill which has passed the House and found by me to be true and correctly printed copy of the said Bill

Hajiya Asma'u G. Salimu
Clerk to the House of Assembly
Adamawa State of Nigeria.

I assent this 21st day of January, 2002

Boni Haruna
Executive Governor,
Adamawa State of Nigeria.

SCHEDULE OF BILL

SHORT TITLE	LONG TITLE	SUMMARY OF CONTENTS	DATE PASSED BY HOUSE
Adamawa State University Law 2001	A Bill for a Law to establish the Adamawa State University and to provide for matters incidental thereto.	The Bill established for the State University, it provides for its objectives and functions. The Bill further provides the constituent bodies and principal officers of the University and	14th November, 2001

		gave it power to make its statutes.	
--	--	--	--

Hajiya Asma'u G. Salimu,
Clerk to Adamawa State House of Assembly