

## FEDERAL UNIVERSITIES OF TECHNOLOGY

DECREE 1986



## ARRANGEMENT OF SECTIONS

*Section**Establishment, Constitution and Functions of Federal Universities of Technology*

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## SCHEDULES

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SCHEDULE 3—Federal Universities of Technology Statute No. 1

## Decree No. 13

[11th July 1986]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

*Establishment, Constitution and Functions of Federal Universities of Technology*

1.—(1) There are hereby established the following universities of technology, that is—

Establishment  
and objects  
of Federal  
Universities  
of  
Technology.

- (a) the Federal University of Technology, Akure ;
- (b) the Federal University of Technology, Minna ; and
- (c) the Federal University of Technology, Owerri.

(2) Each University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The objects of each University shall be—

(a) to 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 a higher education in technology.

(b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, postgraduate research and higher degrees which emphasize planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, agricultural, medical, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technology but also to improve on it and develop new ones ;

(c) to act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilisation, exploitation and conservation of the country's natural, economic and human resources ;

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

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

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

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

(h) to undertake any other activities appropriate for a university of technology of the highest standard.

Constitution  
and  
principal  
officers of  
each  
University.

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

- (a) a Chancellor ;
- (b) a Pro-Chancellor and a Council ;
- (c) a Vice-Chancellor and a Senate ;
- (d) a body to be called Congregation ;
- (e) a body to be called Convocation ;
- (f) the campuses and colleges of the University ;
- (g) the schools, institutes and other teaching and research units of the University ;
- (h) the persons holding the offices constituted by Schedule 1 to this Decree other than those mentioned in paragraphs (a) to (c) of this sub-section ;
- (i) all graduates and undergraduates of the University ; and
- (j) all other persons who are members of the University in accordance with provision made by statute in that behalf.

(2) Schedule 1 to this Decree shall have effect with respect to the principal officers of each University therein mentioned.

(3) Provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Powers of  
each  
University  
and their  
exercise.

3.—(1) For the carrying out of its objects as specified in section 1 of this Decree each University shall have power—

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

(b) to institute professorships, readerships or associate professorships, lectureships, and other posts 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 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 or 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 Minister ;

(h) subject to section 18 of this Decree, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate ;

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

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

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

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

(o) to make gifts for any charitable purpose ;

(p) to do anything which it is authorised or required by this Decree or by statute to do ; and

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

(2) Subject to the provisions of this Decree and of the statutes and without prejudice to section 7 (2) of this Decree, 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 statute.

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

4.—(1) The Chancellor shall, in relation to each 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.

Functions of  
the Chancellor  
and Pro-  
Chancellor.

(2) The Pro-Chancellor shall, in relation to each 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.

5.—(1) Subject to the provisions of this Decree relating to the Visitor, the Council shall be the governing body of each University and shall be 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  
Purposes  
Committee.



(2) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.

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

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

(5) Subject to this Decree 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 respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

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

(9) If requested in writing by any five members of the Council, the Chairman shall within twenty eight days after the receipt of such 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.

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

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

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

(b) the organisation and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external ;

(c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid ;

(d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor *emeritus* ;

(e) the establishment, organisation and control of halls of residence and similar institutions at the University ;

(f) the supervision of the welfare of students at the University and the regulation of their conduct ;

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University ; and

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

(3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.

(4) Subject to this Decree and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorised or required by this Decree or by statute.

(5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practising 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 have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

7.—(1) The Vice-Chancellor shall, in relation to each University, take precedence before all other members of the University except the Chancellor and, subject to section 4 of this Decree, except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

Functions of  
the Vice-  
Chancellor.

(2) Subject to sections 5, 6 and 12 of this Decree, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Decree or otherwise, of directing the activities of the University and shall be the chief executive and academic officer of the University and *ex-officio* Chairman of the Senate.

*Transfer of Property, etc. to each University*

Transfer of  
property.

8.—(1) All property held by or on behalf of the provisional council of each University shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.

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

*Statutes of each University*

Power of  
each Univer-  
sity to make  
statutes.

9.—(1) Subject to this Decree, each University may make statutes for any of the following purposes, that is to say—

(a) making provision with respect to the composition and constitution of any authority of the University ;

(b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities ;

(c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare ;

(d) determining whether any particular matter is to be treated as an academic or a non-academic matter for the purposes of this Decree 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 Decree.

1964 No. 1.

(2) Subject to section 21 (6) of this Decree, the Interpretation Act 1964 shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Act.

(3) The Statute contained in Schedule 3 to this Decree shall be deemed to have come into force on the commencement of this Decree and shall be deemed to have been made under this section by each University.

(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 Schedule 3 to this Decree or any subsequent statute

Mode of  
exercising  
power to  
make  
statutes.

10.—(1) The power of each University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.

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

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

(b) at a meeting of the Council, by the votes of not less than two-thirds of the members present and voting.

(3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) 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, the Senate or any other authority of the University ; or

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college is established;

shall not come into operation unless it has been approved by the President and Commander-in-Chief of the Armed Forces.

(5) For the purposes of section 1 (2) of the Interpretation Act 1964, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on 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 on which it is approved by the President and Commander-in-Chief of the Armed Forces.

(6) In the event of any doubt or dispute arising at anytime—

(a) as to the meaning of any provision of a statute ; or

(b) as to whether any matter is for the purposes of this Decree an academic or non-academic matter as they relate to such doubt or dispute ; the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think 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 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 subsection, 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.

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

Proof of  
statutes.

#### *Supervision and Discipline*

12.—(1) The President and Commander-in-Chief of the Armed Forces shall be the Visitor of each University.

The Visitor.

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

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



Removal of  
certain mem-  
bers of Coun-  
cil.

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

(2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under sub-section (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Removal  
and  
discipline  
of academic,  
administra-  
tive and  
professional  
staff.

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

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

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

(c) if he so requests or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements—

(i) for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council, and

(ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter,

and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the 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 interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) For good cause, any member of the staff may be suspended from his duties 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 discharge of the functions of his office ; or

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office ; or

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office ; or



(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service ; or

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

(4) Any person suspended pursuant to 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) ;

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

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

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

(5) In any case where the Council, pursuant to this 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 three months from such decision come to a final determination in respect of the case concerning any such person.

(6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of 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.

(7) Nothing in the foregoing provisions of 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.

15.—(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 prescribed, 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.

Removal of  
examiners.

(2) Subject to the provisions of regulations made in pursuance of Section 6 (5) of this Decree, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.

(3) 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.

## Discipline of students.

16.—(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct—

(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified ; or

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

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

(d) that the student be expelled from the University.

(2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner appeal to the Council ; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

(3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.

(4) 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.

(5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.

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

*Miscellaneous and General*

## Exclusion of discrimination on account of race, religion, etc.

17.—(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of any body established by virtue of this Decree; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.

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

18. Without prejudice to the provisions of the Land Use Act 1978, a University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Decree) except with the prior written consent, either general or special, of the President and Commander-in-Chief of the Armed Forces.

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding twenty-one years or any lease or tenancy to a member of the University for residential purpose.

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

20.—(1) Any body of persons established by this Decree shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorise a committee established by it—

- (a) to exercise, on its behalf, such of its functions as it may determine ;
- (b) to co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.

(2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.

(3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

(4) Nothing in the foregoing provisions of this section shall be construed as—

- (a) enabling statutes to be made otherwise than in accordance with Section 10 of this Decree ; or
- (b) enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question) ; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

21.—(1) The seal of each 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.

Restriction on disposal of land by University. 1978 No. 6.

Quorum and procedure of bodies established by this Decree.

Appointment of committees, etc.

Miscellaneous administrative provisions.

(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 pursuance of this Decree shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.

1964 No. 1.

(6) Nothing in Section 12 of the Interpretation Act 1964 (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Decree.

(7) The power conferred by this Decree on any body to make statutes or regulations shall include power to revoke or vary any statute (including the Statute contained in Schedule 3 of this Decree) or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation and statutes and regulations may make different provision in relation to different circumstances.

(8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of Section 8, Section 18 or Schedule 2 to this Decree.

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

Interpretation.

22.—(1) In this Decree, unless the context otherwise requires—  
“campus” means any campus which may be established by each University ;

“college” means any college which may be established by each University ;

“Council” means the Council established pursuant to Section 2 (1) (b) of this Decree for each University ;

“graduate” means a person on whom a degree, other than an honorary degree, has been conferred by each University ;

“Minister” means the Minister charged with responsibility for matters relating to higher education ;

“notice” means notice in writing ;

“officer” does not include the Visitor ;

“prescribed” means prescribed by statute or regulations

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

“property” includes rights, liabilities and obligations ;

“provisional Council” means the provisional council appointed for each University by the Federal Executive Council with effect from 1st August 1980 ;

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



"Senate" means the Senate of each University established pursuant to Section 2 (1) (c) of this Decree ;

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

"statute" means a statute made by each University under Section 9 of this Decree and in accordance with the provisions of Section 10 of this Decree, and "the statutes" means all such statutes as are in force from time to time ;

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

"undergraduate" means a person *in statu pupillari* at each University, other than—

(a) a graduate ; and

(b) a person of such description as may be prescribed for the purposes of the definition ;

"University" means any of the Federal Universities of Technology established under Section 1 of this Decree.

(2) It is hereby declared that where in any provision of this Decree it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority ; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

23. This Decree may be cited as the Federal Universities of Technology Decree 1986. Citation,

## SCHEDULES

### SCHEDULE 1

Section 2 (2)

#### PRINCIPAL OFFICERS OF THE UNIVERSITY

##### *The Chancellor*

1. The Chancellor shall be appointed by and hold office at the pleasure of the President and Commander-in-Chief of the Armed Forces.

##### *The Pro-Chancellor*

2.—(1) The Pro-Chancellor shall be appointed or removed from office by the President and Commander-in-Chief of the Armed Forces.

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

##### *The Vice-Chancellor*

3.—(1) The Vice-Chancellor shall be appointed or removed from office by the President and Commander-in-Chief of the Armed Forces after consultation with the University Council.

(2) The Vice-Chancellor shall hold office for four years in the first instance and shall be eligible for re-appointment for a second term of three years, thereafter he shall no longer be eligible for appointment until at least four years have elapsed since he 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-Chancellors*

4.—(1) There shall be for each University at least one deputy Vice-Chancellor and such number of additional deputy Vice-Chancellors as may be prescribed who shall assist the Vice-Chancellor in his duties and one of whom shall act in the place of the Vice-Chancellor when the office of Vice-Chancellor is vacant or the Vice-Chancellor is for any reason absent or otherwise unable to perform his functions as Vice-Chancellor.

(2) A deputy Vice-Chancellor shall be appointed in such manner as may be specified by statute.

(3) Subject to the provisions of this Decree, a deputy Vice-Chancellor shall hold office for a period of two years beginning with the effective date of his appointment, and on such terms as to the emoluments of his office and otherwise as may be specified in his instrument of appointment.

(4) A person who has held office as deputy Vice-Chancellor for a continuous period of not less than four years, or would so have held it but for his resignation, shall not be eligible for appointment as deputy Vice-Chancellor during the two years immediately following the end of that period.

*Other Principal Officers of each University*

5.—(1) There shall be for each University—

- (a) a Registrar ;
- (b) a Bursar ; and
- (c) a Librarian ;

all of whom 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 (3) of this paragraph.

(2) The Registrar shall be the chief administrative officer of the University and shall by virtue of that office be the secretary to the Council, the Senate, Congregation and Convocation.

(3) The Bursar shall be the chief financial officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

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

(5) The officers aforesaid shall be appointed in such manner as may be specified by statute and shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified.

(6) The scope of the responsibilities of the officers specified in sub-paragraph (1) of this paragraph and how they relate to each other shall be prescribed by statute.

(7) Any question as to the scope of the responsibilities of the aforesaid officers shall, subject to sub-paragraph (6) of this paragraph be determined by the Vice-Chancellor.

*Resignation and Re-appointment*

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

(a) in the case of the Chancellor or Pro-Chancellor, by notice to the President and Commander-in-Chief of the Armed Forces.

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

(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.

## SCHEDULE 2

## Section 8 (2)

## TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

*Transfer of property to University*

1. Without prejudice to the generality of Section 8 (1) of this Decree—

(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.—(1) All agreements, contracts, deeds and other instruments to which the provisional council was a party shall so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the provisional council.

(2) Documents not falling within sub-paragraph (1) of this paragraph including enactments, which refer whether specially or generally to the provisional council, shall be construed in accordance with that sub-paragraph so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the provisional council may be continued by or against the University.

*Registration of Transfers*

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

(2) It shall be the duty of the body to which any property is transferred by this Decree 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.

*Transfer of functions, etc.*

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

(2) The persons who were members of the provisional council shall be deemed to constitute the Council until the date when the Council as set up under Schedule 3 of this Decree shall have been duly constituted.

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

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

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

5. 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.

## SCHEDULE 3

## Section 9 (3)

## FEDERAL UNIVERSITIES OF TECHNOLOGY

## STATUTE No. 1

## ARRANGEMENT OF ARTICLES

*Article*

1. The Council.
2. The Finance and General Purposes Committee.
3. The Senate.
4. Congregation.
5. Convocation.
6. Division of Schools.
7. School Boards.
8. Dean of the 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 Council shall consist of—

(a) the Pro-Chancellor ;

(b) the Vice-Chancellor and Deputy Vice-Chancellors ;

(c) six persons representing a variety of interests and broadly representative of the whole Federation appointed by the President and Commander-in-Chief of the Armed Forces ;

(d) three persons appointed by the Senate from among the members of that body ;

(e) one person appointed by Congregation from among the members of that body ;

(f) one person appointed by Convocation from among the members of that body ;

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

(h) the Permanent Secretary of the Ministry of Science and Technology or, in his absence, such other member of his Ministry as he may designate to represent him.

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

(3) A member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.

(4) Where a member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) 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) or (g) 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 4 of the Decree and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

(8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

*The Finance and General Purposes Committee*

2.—(1) The Finance and General Purposes Committee of the Council shall consist of—

(a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present ;

(b) the Vice-Chancellor and Deputy Vice-Chancellors ;

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

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

(e) the Permanent Secretary of the Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him.

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

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

*The Senate*

3.—(1) The Senate shall consist of—

(a) the Vice-Chancellor and Deputy Vice-Chancellors ;

(b) the deans of the several schools ;

(c) the directors of the several institutes ;

(d) the professors ;

(e) the provosts of the several colleges ;

(f) the librarian ;

(g) the persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor ;

(h) such teachers, not being more than one-third of the total number of non-elected members, elected by Congregation and at least one of whom shall come from each school ; and

(i) two members representing the interest of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor.

(2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present ; and in his absence 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.

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

(5) Subject to paragraph (7) 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.



(6) 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 (5) 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 six years or would have so held office if he had not resigned it.

(7) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one 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 in pursuance of paragraph (6) of this article.

(8) For the avoidance of doubt it is hereby declared that 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 30th April in any year in which he is to continue in or take office as an elected member.

(9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

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

### *Congregation*

4.—(1) Congregation shall consist of —

- (a) the Vice-Chancellor and the Deputy Vice-Chancellors ;
- (b) the full time members of the academic staff ;
- (c) the Registrar ;
- (d) the Bursar ;
- (e) the Librarian ;
- (f) the Director of Works ;
- (g) the Director of Health Services and ;
- (h) every member of the administrative staff who holds a degree other than an honorary degree, of any university recognised for the purposes of this Statute by the Vice-Chancellor.

(2) Subject to Section 4 of the Decree, 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 or fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying—  
(a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation ; or  
(b) the names of the persons who are members of Congregation during a particular period ;  
shall be conclusive evidence of that number or, as the case may be, of the names of those persons.

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

(6) 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*

5.—(1) Convocation shall consist of—

(a) the officers of the University mentioned in Schedule 1 to the Decree ;  
(b) all teachers within the meaning of the Decree ;  
(c) all other persons whose names are registered in accordance with paragraph (2) of this article.

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

(a) he is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph ; and  
(b) he applies for the registration of his name in the prescribed manner and pays the prescribed fees.

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

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

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

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

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

(8) Subject to Section 4 of the Decree, 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 School*

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

#### *School Boards*

7.—(1) There shall be established in respect of each school a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall—

(a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the school ;

(b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate ; and

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

(2) Each school 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) such of the teachers assigned to the school 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 eight members or one-quarter, whichever is greater, of the members for the time being of the board ; and subject to the provisions of this Statute and to any provision made by regulations in that behalf, the board may regulate its own procedure.

#### *Dean of the School*

8.—(1) The board of each school shall at a meeting in the last term of any academic year in which the term of office of the dean expires nominate one of its members, being one of the professors assigned to that teaching unit, for appointment by the Senate as dean of the school.

(2) The person appointed under paragraph 1 of this article shall act as dean of the school and chairman at all meetings of the school board when he is present and shall be a member of all committees and other boards appointed by the school.

(3) The dean shall hold office for two years and shall be eligible for re-appointment for one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.

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

(5) It shall be the function of the dean to present to Convocation for the conferment of degrees persons who have qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that school.

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

(7) The dean of a school may be removed from office for good cause by the school 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 school board meeting an election shall be held for a new dean.

(8) In this article, "good cause" has the same meaning as in Section 14 (3) of the Decree.

#### *Selection of certain Principal Officers*

9.—(1) When a vacancy occurs in the office of a Deputy Vice-Chancellor, the Registrar, Bursar, Librarian, or Director of Works, a selection board shall be constituted by the Council which shall consist of—

- (i) the Pro-Chancellor ;
- (ii) the Vice-Chancellor ;
- (iii) two members appointed by the Council, not being members of the Senate ; and
- (iv) 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 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.—(1) Subject to the Decree and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.

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

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

- (a) the Vice-Chancellor ;
- (b) two members appointed by the Council ;
- (c) four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered ;
- (d) if the post is tenable at a college, the provost of the college ;



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

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

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

(a) the Vice-Chancellor ;

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

(c) if the post is tenable at a college, the provost of the college ;

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

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

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

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

#### *Appointment of Administrative and Professional Staff*

12.—(1) 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 delegation of any powers made by the Council in that behalf.

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

#### *Interpretation*

13. In this Statute, the expression "the Decree" means the Federal Universities of Technology Decree 1985 and any word or expression defined in the Decree has the same meaning in this Statute.



*Citation*

14. This Statute may be cited as the Federal Universities of Technology Statute No. 1.

MADE at Lagos this 11th day of July 1986.

MAJOR-GENERAL I. B. BABANGIDA,  
*President, Commander-in-Chief  
of the Armed Forces,  
Federal Republic of Nigeria*

## EXPLANATORY NOTE

*(This note does not form part of the above Decree  
but is intended to explain its purport)*

The Decree provides for the establishment of three Federal Universities of Technology.

Apart from its orientation to science and technology, each of the Universities has largely the same configuration as any other existing Federal University.

However, in order to facilitate inter-disciplinary approach to teaching and research, the more flexible "schools" structure has been chosen as major units rather than the more compartmentalised faculty or department units.

The Decree envisages the appointment of more than one Deputy Vice-Chancellor to enable the Vice-Chancellor concentrate more on policy rather than routine matters.

The provisional council set up in August 1980 to undertake the ground-work for the establishment of each University would stand dissolved as soon as the Decree is promulgated into law.

# CUSTOMS, IMMIGRATION AND PRISONS SERVICES BOARD DECREE 1986



## ARRANGEMENT OF SECTIONS

Section	
<i>Establishment of Customs, Immigration and Prisons Services Board, etc.</i>	
1. Establishment of Customs, Immigration and Prisons Services Board.	5. Power to appoint Administrative Secretary other staff of the Board.
2. Membership of the Board.	6. Power of delegation.
3. Functions.	7. Pensions.
4. Powers of the Board.	8. Staff regulations.
	9. Transitional provisions.
	10. Interpretation.
	11. Citation.

## Decree No. 14

[ 11th July 1986 ]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

### *Establishment of Customs, Immigration and Prisons Services Board, etc.*

1.—(1) There is hereby established under the control of the Ministry a joint board to be known as the Customs, Immigration and Prisons Services Board (hereafter in this Decree referred to as "the Board") which shall be responsible for the administration of the Customs and Excise Management Act 1958, the Immigration Act 1963 and the Prisons Act 1972.

Establish-  
ment of  
Customs,  
Immigration  
and Prisons  
Services,  
Board.  
1958 No. 58.  
1963 No. 5.  
1972 No. 9.

(2) Accordingly—

(a) the Board of Customs and Excise established pursuant to the Customs and Excise Management Act 1958 is hereby abolished and any reference to that Board in the said Act shall be construed as a reference to the Customs, Immigration and Prisons Services Board established under this Decree ;

(b) any reference to Minister in the Customs and Excise Management Act 1958 shall be construed as a reference to the Minister responsible for matters relating to internal affairs.

2.—(1) The Board shall comprise—

(a) the Minister who shall be the Chairman ;

(b) one person to represent the Ministry charged with responsibility for matters relating to internal affairs ;

(c) one person to represent the Ministry charged with responsibility for matters relating to finance ;

Membership  
of the Board.

(d) one person to represent the Ministry charged with responsibility for matters relating to transport ;

(e) one person to represent the Ministry charged with responsibility for matters relating to trade ;

(f) one person to represent the Ministry charged with responsibility for matters relating to industries ;

(g) the Director of Customs and Excise ;

(h) the Director of Immigration ;

(i) the Director of the Nigerian Prisons Services ;

(j) the Legal Adviser to the Ministry charged with responsibility for matters relating to internal affairs ;

(k) two other persons, who shall be full time members, to be appointed by the President, Commander-in-Chief of the Armed Forces.

(2) A member of the Board other than an *ex-officio* member shall hold office for a period of 4 years and shall be eligible for re-appointment for one further period of 4 years.

(3) Notwithstanding the provisions of subsection (2) of this section, a member of the Board other than an *ex-officio* member—

(a) may at any time resign his appointment by giving notice in writing of his resignation addressed to the Minister ;

(b) shall vacate his office if the Minister is satisfied that—

(i) the member has absented himself from 2 consecutive meetings of the Board without permission of the Chairman ; or

(ii) the member by reason of mental or physical infirmity or any other cause is incapable of discharging the duties of his office.

(4) The provisions of the Schedule to this Decree shall have effect with respect to the proceedings of the Board and the other matters therein mentioned.

### *Functions and Powers of the Board*

#### Functions.

3. The Board shall be responsible for—

(a) formulating the general policy guidelines for the Customs, Immigration and Prisons Services (hereinafter in this Decree referred to as the "affected Services") ;

(b) administering the Customs and Excise Management Act 1958, the Immigration Act 1963 and the Prisons Act 1972, and accordingly the Board shall—

(i) subject to the general control of the Minister, control and manage the administration of the customs and excise, immigration and prisons laws ;

(ii) collect the revenues of customs and excise and account for them in such manner as the Minister shall from time to time direct.

4.—(1) The powers—

(a) vested in the Minister in sections 5 and 6 of the Immigration Act 1963 ;

(b) vested in the President, Commander-in-Chief of the Armed Forces and the Federal Civil Service Commission in sections 15 and 16 of the Prisons Act 1972 ; and

#### Powers of the Board.

(c) being exercised by the Federal Civil Service Commission under paragraph 3 of Part 1 of the Third Schedule to the Constitution of the Federal Republic of Nigeria 1979 to appoint and exercise disciplinary control over staff of the Departments of Customs and Excise and Immigration, are hereby vested in the Board.

(2) The Board shall have power—

(a) to appoint persons to hold or act in all the offices in the affected Services, including power to make appointments on promotion or transfer and to confirm appointments ; and

(b) to dismiss and exercise other disciplinary control over persons appointed pursuant to paragraph (a) of this subsection.

(3) The power conferred on the Board under subsection (2) of this section shall, notwithstanding anything to the contrary in any other enactment, include the power to appoint and exercise disciplinary control over—

(a) the Director of Customs and Excise ;

(b) the Director of Immigration; and

(c) the Director of the Nigerian Prison Services.

(4) If the Board thinks it expedient that any vacancy in the staff of the affected Services should be filled by a person holding office in the civil service of the Federation or of a State, it shall notify the appropriate Civil Service Commission to that effect and thereafter the Board may by arrangement with the Civil Service Commission concerned, cause such vacancy to be filled by way of secondment or transfer.

(5) Where any member of a Civil Service is seconded under subsection (4) of this section, he shall be notified of the terms and conditions of the secondment; and the secondment shall be without prejudice to any pension rights which but for the secondment would still accrue to him.

(6) A person seconded pursuant to subsection (4) of this section may elect subject to the approval of the Board to be transferred to the affected Services.

(7) Any member of staff of the affected Services may elect to be transferred or seconded to any other public service of the Federation and such right of transfer or secondment shall not operate to the disadvantage of the officer concerned.

5. There shall be appointed by the Board—

(a) an Administrative Secretary, who shall be responsible for the day-to-day administrative work of the Board, and perform such other functions as the Board may from time to time assign to him ; and

(b) such other members of staff as may appear necessary to the Board for the efficient conduct of its functions under this Decree.

Power to  
appoint  
Administra-  
tive Secre-  
tary and  
other staff of  
the Board.

6.—(1) The Board may, subject to such conditions as it may think fit, delegate any of its powers under this Decree—

(a) to any of the affected Services ;

Power of  
delegation.



(b) to any officer in the service of the affected Services ; or

(c) to a committee consisting of such number of persons, one of whom shall be named as chairman, as may be prescribed by the Board.

(2) Notwithstanding subsection (1) of this section or any other provision in this Decree, the Board shall not delegate any of its powers aforesaid in respect of any office on Grade Level 08 and above.

#### *Miscellaneous*

Pensions.  
1979 No.102.

7.—(1) It is hereby declared that service in the affected Services shall be approved service for the purposes of the Pensions Act 1979 and, accordingly, officers and other persons employed in the affected Services shall in the affected Services be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Decree shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefit in respect of that office.

(2) For the purposes of the application of the provisions of the Pensions Act 1979, any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Board and not by any other person or authority.

Staff Regulations.

8.—(1) Subject to the provisions of this Decree, the Board may with the approval of the Minister make regulations relating generally to the conditions of service, including the power to fix salaries and allowances of the staff of the affected Services, and, without prejudice to the generality of the foregoing, such regulations may provide for—

(a) the composition of the membership of any committee appointed pursuant to section 5 of this Decree ;

(b) the appointment, promotion and disciplinary control, including dismissal of staff of the affected Services ;

(c) appeals by such staff against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of the civil service of the Federation shall, with such modifications as may be necessary, be applicable to the staff of the affected Services.

(2) Any regulations made under subsection (1) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may from time to time determine.

Transitional provisions.

9. Any person who, immediately before the coming into force of this Decree is the holder of any office in the affected Services shall on the commencement of this Decree, continue in office and be deemed to have been appointed to his office by the Board under this Decree.

Interpretation.

10. In this Decree unless the context otherwise requires—

“affected Services” means the Customs, Immigration and Prisons Services ;

"Board" means the Customs, Immigration and Prisons Services Board established under section 1 of this Decree.

"Minister" means the Minister charged with responsibility for matters relating to internal affairs; and "Ministry" shall be construed accordingly.

11. This Decree may be cited as the Customs, Immigration and Prisons Services Board Decree 1986. Citation.

## SCHEDULE

### Section 2 (2)

#### PROCEEDINGS OF THE BOARD

1. Subject to the provisions of this Decree and of section 26 of the Interpretation Act 1964 (which provides for decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board or any committee thereof. 1964 No. 1.

2. The quorum of the Board shall be five and the quorum of any committee of the Board shall be determined by the Board.

3. At any meeting of the Board, the Chairman shall preside, and in his absence, the members present shall elect one of their number to preside at the meeting.

4. The validity of any proceedings of the Board or a committee thereof shall not be affected by any vacancy in the membership of the Board or committee or by any defect in the appointment of a member of the Board or of a person to serve on the committee or by reason that a person not entitled to do so took part in the proceedings.

MADE at Lagos this 11th day of July 1986.

MAJOR-GENERAL I. B. BABANGIDA,  
*President, Commander-in-Chief  
of the Armed Forces,  
Federal Republic of Nigeria*

#### EXPLANATORY NOTE

*(This note does not form part of the above Decree but is  
intended to explain its purport)*

The Decree establishes a joint board to be known as the Customs, Immigration and Prisons Services Board to administer the customs and excise, immigration and prison laws.

**MOTOR VEHICLES (THIRD PARTY LIABILITY INSURANCE  
(ECOWAS BROWN CARD SCHEME) DECREE 1986**



**Decree No. 15**

[11th July 1986]

Commence-  
ment.

WHEREAS by a Protocol signed on 29th May 1982 between member States of the Economic Community of West African States, and ratified by the Federal Republic of Nigeria on 21st June 1983, Nigeria agreed to participate in the Economic Community of West African States (ECOWAS) Brown Card Scheme designed to provide third party liability insurance protection for victims of road accidents occurring within the territories of the Contracting Parties ;

AND WHEREAS the Protocol now signed and ratified by the required number of members of the Economic Community of West African States to bring the same into force is further designed to promote the development of trade and tourism among the Member States of the Community ;

AND WHEREAS under the provisions of the Protocol aforesaid it is necessary for Member States of the Community to enact legislation to give municipal effect to the Protocol within their respective countries ;

NOW THEREFORE, the FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Notwithstanding anything to the contrary contained in any other enactment, and in accordance with the provisions of Article 5 of the Protocol, the National Insurance Corporation of Nigeria is hereby designated as the Nigerian National Bureau for the purposes of the Protocol.

Designation  
of the  
National  
Insurance  
Corporation  
of Nigeria as  
the Nigerian  
National  
Bureau.

(2) Accordingly, the National Insurance Corporation of Nigeria shall—

(a) act as the sole agency charged with responsibility for issuing ECOWAS Brown Cards as required under the Protocol ;

(b) handle Nigeria's financial and other commitments under the Protocol ;

(c) act as the managers of insurance operations against liability risks in respect of motor vehicle accidents ;

(d) settle claims arising from accidents caused in any West African country covered by the Scheme, by holders of the Brown Card issued by it ;

(e) handle claims arising from accidents caused in Nigeria by holders of the Brown Cards issued by the National Bureau of other participating countries ; and

(f) enter into agreements with Nigerian insurers who may apply to participate in the Scheme as members of the Bureau,

(3) The participating members shall provide the Bureau with such guarantee as the Bureau may require and shall make contributions towards the operating expenses of the Bureau.

(4) No insurer shall participate in the Scheme unless he has entered into an agreement with the National Bureau pursuant to section 1 (2) (f) of this Decree.

Modification  
of existing  
laws.

2.—(1) The provisions of any existing law relating to motor vehicles third party insurance or any other matter to which this Decree relates, shall have effect with such modification as may be necessary to bring it into conformity with the provisions of this Decree.

(2) For the purposes of this Decree, "existing law" means any law, enactment or instrument whatsoever which is in force immediately before the date when this Decree comes into force and shall include in particular—

Cap. 126.

(a) section 3 and section 23 of the Motor Vehicles (Third Party Insurance) Act ;

Cap. 184.

(b) the Road Traffic Act ;

1976 No. 59.

(c) Part IX of the Insurance Act 1976 ; and

(d) all regulations, orders and instruments made under the aforementioned enactments.

Penalty.

3. Any person from any member country of the Economic Community of West African States who uses or drives any motor vehicle on a Nigerian road without the possession of a valid ECOWAS Brown Card issued by a National Bureau of the member country is guilty of an offence and liable on conviction to a fine of five hundred naira or to imprisonment for fifteen months or to both such fine and imprisonment.

Interpre-  
tation.

4. In this Decree, unless the context otherwise requires—

"Brown Card" means the Ecowas Brown Card within the meaning of the Protocol ;

"Community" or "ECOWAS" means the Economic Community of West African States ;

"member of the National Bureau" means an insurer duly registered under the relevant law in Nigeria as an insurance company and who has entered into an agreement with the Nigerian National Bureau for the purpose of participating in the ECOWAS Brown Card Scheme ;

"Protocol" means the Protocol on the Establishment of ECOWAS Brown Card Scheme relating to Third Party Liability Insurance (No. A/PI/5/82) signed and ratified by Member States.

Citation.

5. This Decree may be cited as the Motor Vehicles (Third Party Liability Insurance) (Ecowas Brown Card Scheme) Decree 1986.

MADE at Lagos this 11th day of July 1986.

MAJOR-GENERAL I. B. BABANGIDA,  
*President, Commander-in-Chief  
of the Armed Forces,  
Federal Republic of Nigeria*



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EXPLANATORY NOTE

*(This note does not form part of the above-mentioned  
Decree but is intended to explain its purpose)*

The Decree enacts a municipal law to bring into effect in Nigeria the provisions of a Protocol signed between all Member States of the ECOWAS. Specifically, the Protocol seeks to provide third party liability insurance cover for victims of road accidents occurring within the territories of Member States. The Decree also provides penalty for any person using or driving a motor vehicle on a Nigerian road without the possession of valid ECOWAS Brown Card.

**NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS  
(AMENDMENT) DECREE 1986**



**Decree No. 16**

[11th July 1986]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Nigerian Institute of International Affairs Act 1971 (hereinafter in this Decree referred to as "the principal Act"), as amended by the Nigerian Institute of International Affairs (Amendment) Act 1977, is hereby further amended as provided in the following provisions of this Decree.

Amendment  
of 1971  
No. 35.  
1977 No. 45.

2. Section 1 of the principal Act is hereby amended by inserting immediately after subsection (4) thereof, the following new subsection, that is—

Amendment  
of section 1.

"(5) The Institute shall be exempted from stamp duties."

3. Section 2 of the principal Act is hereby amended by deleting paragraph (c) thereof.

Amendment  
of section 2.

4. Section 5 of the principal Act shall be amended as follows—

Amendment  
of section 5.

(a) in subsection (1) thereof, for the word "Council" there shall be substituted the words "President, Commander-in-Chief of the Armed Forces";

(b) for subsection (2) thereof, there shall be substituted the following new subsection, that is—

"(2) The Director-General shall be the chief executive of the Institute."

5. For section 6 of the principal Act, there shall be substituted the following new section, that is—

Amendment  
of section 6.

"Appoint-  
ment of  
Secretary  
and  
Director  
of Admini-  
stration,  
etc. of the  
Institute.

6.—(1) There shall be appointed by the Council the following officers of the Institute—

(a) the Secretary and Director of Administration who shall be responsible to the Director-General for the day-to-day administration and for the finances of the Institute and shall act as Secretary to the Council ;

(b) the Director of Research and Studies who shall be selected from within or outside the Institute and—

(i) be responsible to the Director-General for co-ordinating the research staff and research projects of the Institute and the collection and publication of research materials, and

(ii) hold office for one term of five years only ;

(c) the Director of Library and Documentation Services who shall be responsible to the Director-General for the activities and maintenance of the library of the Institute.

(2) The power to discipline, suspend, reprimand and interdict any officer or servant above grade level 07 shall be exercised by the Appointments and Promotions Committee :

Provided that any officer or servant who is aggrieved by the decision of the Committee may appeal to the Council through the Director-General.

(3) The power to appoint and discipline junior officers of grade level 07 and below shall be exercised by the Director-General."

Amendment  
of section 7.

6. For section 7 of the principal Act, there shall be substituted the following new section, that is—

"Pensions.  
1979 No.  
102.

7.—(1) It is hereby declared that service in the Institute shall be public service for the purposes of the Pensions Act 1979 and accordingly, officers and other persons employed in the Institute shall in respect of their service in the Institute be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

(2) For the purposes of the application of the provisions of the Pensions Act 1979 any power exercisable thereunder by a Minister or other authority of the Government of the Federation (not being the power to make regulations under section 23 thereof) is hereby vested in and shall be exercisable by the Council and not by any other person or authority."

Amendment  
of section 8.

7. Section 8 of the principal Act is hereby amended—

(a) in subsection (1) thereof, by inserting immediately after the word "Nigeria" the words "and to non-Nigerians on the recommendation of the Council and approval of the President, Commander-in-Chief of the Armed Forces" ;

(b) by substituting for subsection (2) thereof, the following new subsection—

"(2) Subject to any regulations made under section 15 of this Act, any person who immediately before the appointed day was a member

of the Institute shall on that day become a member of the Institute under this Act."

8. In subsection (1) of section 10 of the principal Act, there shall be inserted immediately after the word "gift", the words "and the Institute shall not pay tax on any such gift or donation. Corporate bodies who give gift or donation shall be exempted from tax on the gift or donation."

Amendment  
of section 10.

9. For section 13 of the principal Act, there shall be substituted the following new section, that is—

Amendment  
of section 13.

"Annual  
report.

13. The Institute shall within 6 months after the end of each financial year submit to the President, Commander-in-Chief of the Armed Forces a report on the activities of the Institute and its administration during the last preceding year."

10. Section 14 of the principal Act is hereby amended as follows—

Amendment  
of section 14.

(a) by renumbering the existing section as subsection (1) of section 14 ; and

(b) by inserting immediately after subsection (1) as renumbered, the following new subsection, that is—

"(2) A certified true copy of every treaty entered into by the Federal Republic of Nigeria shall be deposited at the library of the Institute."

11. Schedule 1 to the principal Act is hereby amended as follows—

Amendment  
of Schedule 1.

(a) for paragraph 1 thereof, there shall be substituted the following new paragraph—

"1. Subject to this Act and notwithstanding anything in any other enactment, the Council shall consist of the following members to be appointed by the President, Commander-in-Chief of the Armed Forces, that is to say—

(a) a Chairman ;

(b) the Director-General ;

(c) a representative of the General Staff Headquarters ;

(d) a representative of the Ministry of External Affairs ;

(e) three persons from the Federal Universities in the Federation so however that no two persons shall be appointed from the same University ;

(f) six persons with special interest in international affairs." ;

(b) in paragraph 7 thereof, by substituting for word "three" wherever it occurs, the word "four" ;

(c) in paragraph 8 thereof, for the word "Commissioner" wherever it occurs, there shall be substituted the words "President, Commander-in-Chief of the Armed Forces" ;

(d) immediately after paragraph 12 thereof, there shall be added a new paragraph 12A, that is—

"12A. Every committee shall have the power to co-opt not more than one-third of its number and such co-opted members shall have full voting rights." ;



(e) in paragraph 14 thereof

(i) by renumbering the existing paragraph as sub-paragraph (1) of paragraph 14 ; and

(ii) by inserting immediately after sub-paragraph (1) as renumbered, the following new sub-paragraphs, that is—

“(2) Any one-third of the members of the Council may in writing demand a Council meeting and the Chairman shall summon such a meeting.

(3) Any one-third of the members of the Institute may in writing demand a general meeting and the Chairman shall summon such a meeting.

(4) The Chairman shall preside over any joint meeting of the Council and members of the Institute or any meeting of the members including the annual general meeting.” ; and

(f) in paragraph 16 thereof, by deleting all the words after “Director-General”.

Citation

12. This Decree may be cited as the Nigerian Institute of International Affairs (Amendment) Decree 1986.

MADE at Lagos this 11th day of July 1986.

MAJOR-GENERAL I. B. RABANGIDA,  
*President, Commander-in-Chief  
of the Armed Forces,  
Federal Republic of Nigeria*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is  
intended to explain its purport)*

The Decree amends the Nigerian Institute of International Affairs Act 1971 and provides for a structural re-organisation of the Institute. The Decree provides for the Director of Administration to take responsibility for the accounting unit of the Institute and it further exempts the Institute from payment of tax on gifts and donations.

**TRADE UNIONS (MISCELLANEOUS PROVISIONS)**  
**DECREE 1986**



**Decree No. 17**

[14th July 1986]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

PART I—TRADE UNIONS ACT 1973

1. The Trade Unions Act 1973 (hereinafter in this Decree referred to as the principal Act), as amended by the Trade Unions (Amendment) Act 1978, is hereby further amended as provided in the following provisions of this Decree.

Amendment  
of 1973  
No. 31  
1978 No. 22.

2. Subsection (2) of section 33 of the principal Act is hereby repealed and the following provisions are substituted therefor, that is—

Amendment  
of section 33.

“(2) Trade Unions specified in Part A of the Schedule to this Act shall be deemed to be affiliated with the Central Labour Organisation registered pursuant to subsection (1) of this section.

(3) Trade Unions specified in Part B of the Schedule to this Act shall not be affiliated to the Central Labour Organisation.

(4) It shall be an offence for any trade union not specified in Part A of Schedule 3 to this Decree to affiliate with the Central Labour Organisation.

(5) Any person (including any officer or official of a trade union) guilty of an offence under subsection (1) of this section shall be liable on conviction to a fine of ₦1,000.00 or 12 months imprisonment or to both such fine and imprisonment.

(6) Notwithstanding the offence created in subsection (4) of this section, if the Minister is satisfied that there has been a violation of the provision concerning affiliation he may cause to be struck out from the register the name of the trade union concerned.

3. For the words “the trade unions specified in Schedule 3 of this Act” appearing in subsection (7) of Section 5 of the principal Act, there shall be substituted the following words, that is—

Amendment  
of section 5.

“the Trade Unions specified in Part A and Part B of Schedule 3”.

Amendment  
of  
Schedule 3.

4. Schedule 3 of the principal Act, as inserted by the Trade Unions (Amendment) Act 1978, is hereby repealed and a new Schedule 3 as contained in the Schedule to this Decree is hereby inserted.

Amendment  
of section 54.

5. Immediately after paragraph (e) of subsection (2) of section 54, there shall be inserted a new paragraph, that is—

“(f) definition of the limit of relationship and degree of affiliation between the Central Labour Organisation and any trade union”.

Meaning of  
worker for  
the purpose  
of Part I of  
this Decree.

6. In this Part, “worker” has the meaning assigned thereto in section 90 (1) of the Labour Act 1974.

#### PART II—LABOUR ACT 1974

Amendment  
of No. 21  
of 1974.

7. For subsection (3) of Section 5 of the Labour Act 1974, as amended by the Labour (Amendment) Act 1978, there shall be substituted the following new subsections, that is—

“(3) Upon the registration and recognition of any of the trade unions specified in Part A of Schedule 3 to the Trade Unions Act 1973, the employer shall—

(a) make deductions from the wages of all workers eligible to be members of the union for the purpose of paying contributions to the trade union so recognised ; and

(b) pay any sum so deducted to the union,

but a worker may contract out of the system, in writing, and where he has done so, no deductions shall be made from his wages in respect of contributions mentioned in paragraph (a) of this section.

(4) No deductions shall be made from the wages and salaries of persons who are eligible members of any of the trade unions specified in Part B of Schedule 3 to the Trade Unions Act 1973 except the person concerned has accepted, in writing, to make voluntary contributions to the trade union.

Citation.

8. This Decree may be cited as the Trade Unions (Miscellaneous Provisions) Decree 1986.

## SCHEDULE

## "SCHEDULE 3

Section 5 (7)

LIST OF REGISTERED AND RECOGNISED TRADE  
UNIONS

## PART A—WORKERS' UNIONS

1. Agricultural and Allied Workers Union of Nigeria.
2. National Union of Air Transport Services Employees.
3. Nigerian Coal Miners' Union.
4. National Union of Electricity and Gas Workers Union.
5. Medical and Health Workers' Union of Nigeria.
6. Precision, Electrical and Related Equipment Workers' Union.
7. Nigeria Union of Seamen and Water Transport Workers.
8. Dockworkers Union of Nigeria.
9. Nigerian Ports Authority Workers' Union.
10. Nigerian Union of Railwaymen.
11. Nigeria Civil Service Union.
12. Radio, Television and Theatre Workers' Union.
13. National Union of Hotel and Personal Service Workers.
14. Printing and Publishing Workers' Union.
15. National Union of Paper and Paper Products Workers.
16. Nigeria Union of Construction and Civil Engineering Workers.
17. National Union of Furniture, Fixtures and Woodworkers.
18. Metal Products Workers' Union of Nigeria.
19. National Union of Petroleum and Natural Gas Workers.
20. National Union of Chemical and Non-Metallic Products Workers.
21. Footwear, Leather and Rubber Products Workers Union of Nigeria.
22. Union of Shipping, Clearing and Forwarding Agencies Workers of Nigeria.
23. National Union of Textile, Garments and Tailoring Workers.
24. National Union of Road Transport Workers.
25. Iron and Steel Workers Union of Nigeria.
26. Automobile, Boatyards, Transport Equipment and Allied Workers Union of Nigeria.
27. Metallic and Non-Metallic Mines Workers' Union.
28. Non-Academic Staff Union of Educational and Associated Institutions.
29. Nigerian Union of Local Government Employees.
30. Nigerian Union of Public Corporations Employees.



31. Nigeria Union of Pensioners.
32. Customs and Excise and Immigration Staff Union.
33. Nigeria Union of Civil Service Typists, Stenographic and Allied Staff.
34. National Union of Banks, Insurance and Financial Institutions Employees.
35. National Union of Food, Beverage and Tobacco Employees.
36. National Union of Shop and Distributive Employees.
37. National Union of Postal and Telecommunications Employees.
38. Recreational Services Employees' Union.
39. National Association of Nigeria Nurses and Midwives.
40. National Union of Journalists.
41. Nigeria Union of Teachers.
42. Civil Service Technical Workers' Union of Nigeria.
43. Any other Workers' Trade Unions.

#### PART B—SENIOR STAFF UNIONS

1. National Association of Air-craft Pilots and Engineers.
2. Electricity and Gas Senior Staff Association.
3. Nigerian Union of Pharmacists, Medical Technologists and Professions Allied to Medicine.
4. Nigerian Merchant Navy Officers' and Water Transport Senior Staff Association.
5. Academic Staff Union of Universities.
6. Association of Senior Civil Servants of Nigeria.
7. Association of Senior Staff of Banks, Insurance and Financial Institutions.
8. Food, Beverage and Tobacco Senior Staff Association.
9. Shop and Distributive Trade Senior Staff Association.
10. Construction and Civil Engineering Senior Staff Association.
11. Petroleum and Natural Gas Senior Staff Association of Nigeria.
12. Chemical and Non-Metallic Products Senior Staff Association.
13. Footwear, Leather and Rubber Products Senior Staff Association.
14. Senior Staff Association of Shipping, Clearing and Forwarding Agencies.
15. Textile, Garment and Tailoring Senior Staff Association.
16. Automobile, Boatyard, Transport Equipment and Allied Senior Staff Association.
17. Metallic and Non-Metallic Mines Senior Staff Association.
18. Senior Staff Association of Statutory Corporations and Government owned Companies.

19. Senior Staff Association of Universities, Teaching Hospitals, Research Institutes and Associated Institutions.
20. Metal Products Senior Staff Association of Nigeria.
21. Precision, Electrical and Related Equipment Senior Staff Association.
22. Hotel and Personal Services Senior Staff Association.
23. Paper and Paper Products Senior Staff Association.
24. Agricultural and Allied Senior Staff Association.
25. National Union of Agricultural and Allied Employers.
26. National Union of Dock Labour Employers.
27. Nigeria Employers' Association of Banks, Insurance and Allied Institutions.
28. Association of Food, Beverage and Tobacco Employers.
29. Hotel and Personal Services Employer's Association.
30. Construction and Civil Engineering Employers' Association of Nigeria.
31. Road Transport Employer's Association.
32. National Association of Conservancy Employers.
33. Nigeria Mining Employers' Association.
34. Precision, Electrical and Related Equipment Employers Association.
35. Water Transport Senior Staff Association.
36. And any other Unions of Senior Staff registered after the commencement of the Trade Unions (Amendment) Act 22 of 1978."

MADE at Lagos this 14<sup>th</sup> day of July 1986.

MAJOR-GENERAL I. B. BABANGIDA,  
*President, Commander-in-Chief  
of the Armed Forces,  
Federal Republic of Nigeria*

#### EXPLANATORY NOTE

*(This note does not form part of the above Decree but is intended to explain its purport)*

The Decree amends the list of trade unions recognised and registered by the Registrar of Trade Unions into Part A and Part B to distinguish between trade unions whose members are taken from the workers as defined and those whose members are drawn from senior staff and employers' associations. It also forbids deductions, except on voluntary basis, from wages and salaries of senior employees as contributions to the trade unions.