

BORNO STATE GOVERNMENT OF NIGERIA

GAZETTE, 2020

**A Law to Further Amend The Borno State University
Law 2021 (Amendment) Law, 2020**



Borno State Of Nigeria
Gazette
Published By Authority

No. 11

MAIDUGURI - 12th March, 2020

Vol. 45

Borno State Notice No. 11

The following are published in the Supplement to this Gazette:-

**Bo. S.L. No. 2 of 2020:- A Law To Further Amend The Borno State
University Law, 2012 (Amendment) Law, 2020**

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(L.S)

ENGR. PROF. BABAGANA UMARA ZULUM MNI, FNSE
GOVERNOR
BORNO STATE OF NIGERIA



Borno State of Nigeria

Law No: 2 of 2020

BORNO STATE UNIVERSITY (AMENDMENT) LAW, 2020

**A LAW TO FURTHER AMEND THE BORNO STATE
UNIVERSITY LAW, 2012 (AMENDMENT) LAW, 2020**

BE IT ENACTED by the Borno State House of Assembly as follows:-

Citation and
Commencement

1. This Law may be cited as the Borno State University (Amendment) Law, 2020 and shall come into operation on the 31.....Day of.....JANUARY.....2020

Interpretation

2. (1) In this Law unless the context otherwise requires:-
“Principal Law” means the Borno State University Law, 2012
- (2). All other words and phrases herein used shall have the same meaning assigned to them under Section (2) of the Principal Law.

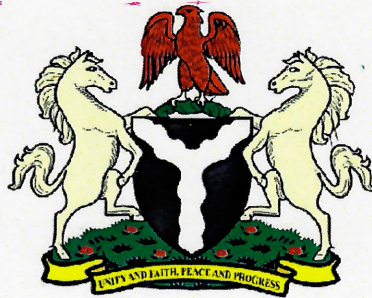
Amendment of
Section 22 (1) of
the Principal
Law

3. (1) Section 22 (1) (a) of the principal Law is hereby amended by deleting same and substituting it with a new one as follows:-
“22 (1) (a) – 10% of the State monthly internally Generated Revenue subject to availability of Funds”
- (2). Section 22 (c) is amended by adding a proviso as Follows:-
“Provided that the Local Government Joint Account Committee is satisfied that in respect of every particular month, subject to availability of funds”
- (3) The sentence reading:-
“1% of all contracts awarded in the State” appearing in the first line of sub-section (2) of this section is hereby moved to Sub-Section (1) as item (i) immediately after item (h) thereof “.
- (4) Section 22 of the Principal Law is further amended by adding Sub-Section (3) to read.
- “22 (3) – 20% of all contributions to the University shall be remitted to the Ministry of Higher Education to Enable it effectively carry out its mandate”

EXPLANATORY NOTE

This printed impression has been carefully compared by me with the Bill which has passed the Borno State House of Assembly and found by me to be a true and correctly printed copy Of the Law.

IBRAHIM AUDU NGULDE
CLERK OF THE BORNO STATE
HOUSE OF ASSEMBLY



BORNO STATE GOVERNMENT OF NIGERIA

GAZETTE, 2023

**A Law to Repeal The Kashim Ibrahim College
of Education Law, 1994 Cap. 73 Laws of
Borno State**



Borno State Of Nigeria
Gazette
Published By Authority

No. 5

MAIDUGURI - 2ND NOVEMBER, 2023

Vol. 48

Borno State Notice No. 5

The following are published in the Supplement to this Gazette:-

***A Law to Repeal the Kashim Ibrahim College of Education
Law, 1994 Cap. 73 Laws of Borno State***

Printed and Published by the Government Printer GPM 11/2023/500

Annual Subscription: Nigeria N24,000, Overseas N48,000, post free, Present Issue N5000 per copy. Application for the purchase of Gazette and other Government Publication should be submitted to the Government Printer, Post Office Box 179, Maiduguri, Remittance should be in Money or Postal Order crossed and made payable in the Government Printer, Maiduguri, Postage Stamps are NOT acceptable.

I Assent this 31st day of October, 2023

ENGR. PROF. BABAGANA UMARA ZULUM CON, MNI, FNSE
GOVERNOR
BORNO STATE OF NIGERIA

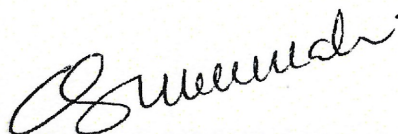
**A LAW TO REPEAL THE KASHIM IBRAHIM COLLEGE OF
EDUCATION LAW, 1994 CAP. 73 LAWS OF BORNO STATE**

ENACTED by the Borno State House of Assembly as follows:-

- | | | |
|---|-------|---|
| Short title and Commencement | 1. | This Law may be cited as Repeal of Kashim Ibrahim College of Education Law, Cap. 73 Laws of Borno State and shall come into operation on the <u>31st</u> Day of <u>October</u> 2023 |
| Repeal of Kashim Ibrahim College of Education Law, 1994 | 2. | The Kashim Ibrahim College of Education Law, 1994 Cap. 73 Laws of Borno State, is hereby Repealed. |
| Effect of Repeal | 3.(1) | Upon the coming into force of this Law, all the provisions of the Repealed Law shall ceased to operate. |
| | (2) | All the Management and other staff of the Kashim Ibrahim College of Education shall be redeployed to other Tertiary Institutions in the State and Ministry of Education |
| | (3) | If at the cessation of operation of the Kashim Ibrahim College of Education Law, there is/are student(s) who is/are yet to graduate from the College, the Ministry of Education shall process the transfer of such student(s) to any of the Tertiary Institutions in the State. |

EXPLANATORY NOTE

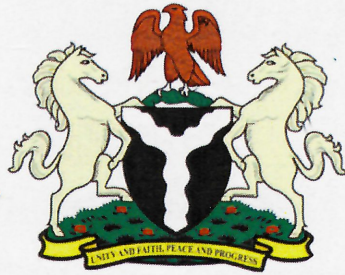
This printed impression has been carefully compared by me with the Bill which has been passed by the Borno State House of Assembly and found by me to be a true and correctly printed copy of the Law.



MUHAMMAD GOGO ABDULLAHI

Ag. CLERK OF THE BORNO STATE

HOUSE OF ASSEMBLY



BORNO STATE GOVERNMENT OF NIGERIA

GAZETTE, 2025

**A Law to Amend Section 3 Sub-Section (b) of the Borno State
University Law, 2012 (Amendment No. II) Law, 2025**



Borno State Of Nigeria
Gazette
Published By Authority

No. 3

MAIDUGURI - 11TH SEPTEMBER, 2025

Vol. 50

Borno State Notice No. 3

The following are published in the Supplement to this Gazette:-

***A Law to Amend Section 3 Sub-Section (b) of the Borno State
University Law, 2012 (Amendment No. II) Law, 2025***

Printed and Published by the Government Printer GPM 9/2025/500

Annual Subscription: Nigeria N24,000. Overseas N48,000, post free. Present Issue N5000 per copy. Application for the purchase of Gazette and other Government Publication should be submitted to the Government Printer, Post Office Box 179, Maiduguri. Remittance should be in Money or Postal Order crossed and made payable in the Government Printer, Maiduguri. Postage Stamps are NOT acceptable.

I Assent this 4th day of August, 2025

ENGR. PROF. BABAGANA UMARA ZULUM CON, MNI, FNSE
GOVERNOR
BORNO STATE OF NIGERIA

**A Law to Amend Section 3 Sub-Section (b) of the Borno State
University Law, 2012 (Amendment No. II) Law, 2025**

ENACTED by the Borno State House of Assembly as follows:

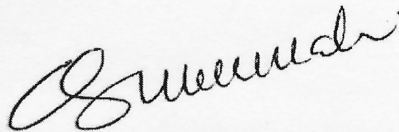
PART I: PRELIMINARY

- Short Title and Commencement* 1 This Law may be cited as the Borno State University Law, 2012 (Amendment No. II) Law 2025 and shall come into force on the^{4th} Day of^{August}..... 2025.
- Interpretation* 2 In this Law unless the context otherwise requires.
- Amendment of Section 3 (b) of the Principal Law* 3 Section 3 Sub-Section (b) of the Principal Law is hereby amended by deleting the word “**Borno State University**” and replacing it with the word “**Kashim Ibrahim University**”

“**Principal Law**” means Borno State University Law, 2012.

EXPLANATORY NOTE

This printed impression has been carefully compared by me with the Bill which has been passed by the Borno State House of Assembly and found by me to be a true and correctly printed copy of the Law.



MUHAMMAD GOGO ABDULLAHI

Ag. CLERK OF THE BORNO STATE

HOUSE OF ASSEMBLY



**Borno State of Nigeria
Gazette**

Published By Authority

No. 15

MAIDUGURI - 11th April, 2013

Vol. 38

Borno State Notice No. 15

The following are Published in the Supplement to this Gazette:-

Borno State University Law, 2012 A Law to Established Borno State University and to Provide Matters Incidental Thereto:-

Printed and Published by the Government Printer GPM/4/2013/500

Annual Subscription: Nigeria N24,000, Overseas N48,000, post free. Present issue N2000 per copy. Application for the purchase of Gazette and other Government Publications should be submitted to the Government Printer, Post Office Box 179, Maiduguri. Remittances should be in Money or Postal Order crossed and made payable to the Government Printer, Maiduguri. Postage stamps are NOT acceptable.

I ASSENT THIS 11th day of April, 2013

HON. KASHIM SHETTIMA
Governor
Borno State of Nigeria

(L. S.)

No. 15

2013



Borno State of Nigeria

**BORNO STATE UNIVERSITY LAW, 2012 A LAW TO ESTABLISHED BORNO STATE
UNIVERSITY AND TO PROVIDE MATTERS INCIDENTAL THERETO.**

PART I PRELIMINARIES

BE IT ENACTED by the Borno State House of Assembly as follows:-

*Citation and
commencement* 1.

This Law may be cited as the Borno State University Law, 2012 and shall come into operation on the 10th day of September, 2012.

Interpretation

2. In this Law, unless the context otherwise requires:
- “Assessor” means a person appointed by the Senate/Council to assess staff and a programme of study in the University together with all the facilities available for it.
- “Campus” means any campus, which may be established by the University.
- “College” means any college, which may be established by the University.
- “Commissioner” means the commissioner charged with the responsibility of Education.
- “Congregation” means congregation of this University.
- “Convocation” means the convocation of this University.
- “Council” means the Council established by this Law for the University.
- “Examiner” means a person appointed by Senate to moderate examination question papers and corresponding students’ answer scripts.
- “Faculty” means any faculty which may be established by the University.
- “Financial Year” means “a period of 12 months commencing from 1st January”.
- “Governor” means the Executive Governor of Borno State.
- “Government” means Borno State Government of Nigeria.
- “Graduate” means a person on whom a degree (other than honorary) has been conferred by the University.
- “Immediate family” to include “wife, husband and children by the University.

"Institute" means any institute which may be established by the University.

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

"Notice" means notice in writing.

"Officer" means staff of the University but does not include the visitor.

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

"Property" means that which is capable of ownership by the University and includes liability and obligations.

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

"Senate" means the Senate of the University established in pursuance to Section 10 of the Law.

"School" means any school which may be established by the University.

"State" means Borno State of Nigeria.

"Statute" means rules and/or regulations made by the University under Section 12 of this Law and in accordance with the provisions of Section 13 of this Law and shall include all such statutes as are in force from time to time.

"University" means "Borno State University as incorporated and constituted by this Law".

"Visitor" means the Governor.

PART II ESTABLISHMENT, POWERS AND FUNCTIONS OF THE UNIVERSITY

Establishment of the University

- 3(a) There is hereby established for Borno State a University which shall be a body corporate with perpetual succession and a common seal, with power to sue and be sued in its corporate name.
- (b) The name of the University shall be "Borno State University" hereinafter referred to as "The University".

Objectives of the University

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

- 5(1) The University shall both be a teaching and examining body and shall, subject to the provisions of this Law and the statutes, have the following powers:-
- (a) to provide instructions in such branches of learning as the University may think fit whether for members of the University or for others, and to make provision for research and for preservation, advancement and dissemination of knowledge in such manner as the University may determine;
 - (b) to prescribe in its statutes the condition under which persons may be admitted as students of the University for any particular course of study provided by the University;
 - (c) to grant, under the conditions laid down in this Law or its statutes, degrees, diplomas, certificates and other academic distinctions to persons who shall have pursued a course of study approved by the University and shall have passed the examination or other test prescribed by it;
 - (d) to grant and or approve to any persons, under conditions laid down in this Law in its statutes, honorary degree or other academic distinctions;
 - (e) on what Council, and Senate shall consider to be good cause to deprive persons of any degree, diplomas, certificates or other academic distinctions granted to them by the University.
 - (f) to accept the examination and period of study passed by the students of the University at other institutions, universities or place of learning as equivalent to such examination and period of study in the University as the Senate may determine and to withdraw such acceptance at any time;
 - (g) to enter into any agreement for the incorporation or affiliation to or which the University or any other institution and for taking over its rights, properties and liabilities;
 - (h) to join with other institution, University, public or private body, authority or association having in view or promoting any purpose or to appoint one or more representatives to sit on any such body, institution, University, body, authority or association, in either case for such purposes as may be agreed upon or as may be provided by the Law, on such terms and conditions as may from time to time be prescribed by statute;
 - (i) to institute such offices as the purposes of the university may require and to appoint persons to and remove them from such offices and to prescribe their conditions of service;
 - (j) to prescribe rules for the discipline of students of the University;
 - (k) to establish, maintain, administer, govern and supervise place of residence for officers and students of the University;
 - (l) to institute and award fellowships, scholarship, internship, prizes and other aids to study and research;
 - (m) to make provision for research, design, development, testing, advisory and consultancy services and with these objects to enter into such arrangements with other institutions or public bodies as may be thought desirable and to charge the users of such services such fees as may be thought desirable;
 - (n) to print, produce and publish works of research and such other

- works as may from time to time be thought fit by the University;
- (o) to sell or provide for reward or otherwise such books, stationary and other goods and services as may be deemed expedient and consistent with objectives of the University;
- (p) to demand and receive fees and contributions to the funds of the University but without obligation to accept same and to raise money in such other manner as the University may deem fit;
- (q) to operate its Bank account, borrow and invest money and to act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research, or otherwise in furtherance of the work and welfare of the University, and to invest any funds representing same in accordance with the provisions of the statutes;
- (r) to do all such other acts or things whether or not incidental to the foregoing powers as may advance the objects of the University.
- (2) Without prejudice to the generality of the provisions of the last proceeding sub-section, the University may, by special arrangement, agreement or affiliation with any other institution or university prepare its students for the degrees or certificates of such other institution or University.

**Constituent
bodies and
Principal Officers
of the University**

- 6(1) The University shall composed of the following constituent bodies and principal officers to wit:-
- (a) a Chancellor
- (b) a Pro-Chancellor and a Council
- (c) a Vice Chancellor and a Senate
- (d) a Deputy Vice Chancellor
- (e) a body to be called Congregation
- (f) a body to be called Convocation
- (g) the Campuses and Colleges of the University
- (h) the Faculties, schools, institutes, departments and other teaching and research units of the University.
- (i) the person holding the offices constituted by the first schedule to this Law other than those mentioned in paragraph (a) to (c) of this subsection.
- (j) all graduates and undergraduates
- (k) all other persons who are members of the University in accordance with the provisions made by statute in that behalf.
- (2) The first schedule to this Law shall have effect with respect to the principal officers of the University therein mentioned.
- (3) Provision shall be made by the statute with respect to the constitution of the following bodies, namely, the Council, the Senate, the Congregation and Convocation.

**Powers of the
University**

- 7(1) For the carrying out of its objectives as specified in Section 4 of this Law, the University shall have power:-
- (a) to establish such campuses, colleges, faculties, institutes,

- academic departments, schools, extra-mural departments and other teaching and research units within the University as from time to time necessary;
- (b) to institute professorships, readership, lecturership and other posts and offices and to make appointment thereto;
- (c) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and form of assistance;
- (d) to provide for the discipline, condition of service and welfare of members of the University;
- (e) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (f) to grant honorary degree, 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 visitor;
- (h) subject to the provision of this Law, to acquire, hold, grant, and change or otherwise deal with or dispose of moveable or immovable property wherever situated;
- (i) to accept gifts, legacies and donations, but without obligation to accept same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (j) to enter into contracts, establish trusts, act as trustees, solely or jointly with any other person, and comply and act through agents;
- (k) to erect, provide, acquire and maintain libraries, laboratories, lecture halls, of residence, cafeteria, sporting grounds, playing fields and other buildings or things necessary or 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 or conditions imposed by the statute, to invest any monies appertaining to the University by way of endowment, whether for general or special purpose, and such other monies as may not be immediately required for current expenditure, in any investments or securities or in the purchase of improvement of land, with power from time to time to vary any such investments, and to deposit any monies for the time being uninvested with any bank on deposit or current accounts;
- (n) to borrow, whether on interest or not and if need be upon security of any or all of the property moveable or immovable of the University, such money as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
- (o) to make gift for any charitable purpose;
- (p) to arrange for the general welfare of the immediate family of member of staff;
- (q) to do anything which is authorized or required by this Law or by statute to do, and

- (r) to make such Laws and do such things, whether or not incidental,
- (2) Subject to the provisions of this Law and of the statutes and without prejudice to Section 7 of this Law, the powers conferred on the University by sub-section (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by statute.
- (3) The power of the University to establish further Campuses, schools and colleges within the University shall be exercisable by statute and not otherwise.

PART III - ADMINISTRATIVE PROVISIONS

Functions of the Chancellor and Pro-Chancellor

- 8(1) The Chancellor shall, in relation to the University, and when he is present shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall in relation to the University except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation, the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.

Functions of the Council, its Finance and General Committee

- 9(1) Subject to the provisions of this Law relating to the Visitor, the Council shall be charged with the general control and superintendent.
- (2) There shall be a committee of the Council to be known as Finance and General Purposes Committee, which shall, subject to the directions of the Council exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by the statute with respect to the constitution of the Finance and General Purpose Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and audited annually by an independent firm of auditors appointed by the Council and in accordance with guidelines supplied by the Auditor General of the State, and that an annual report is published by the University with certified copies of the said accounts audited.
- (5) Subject to this Law and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any other respective functions or of regulating 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 (whether before or after the coming into force of the rules in question), the directions of the Council shall

prevail.

- (7) There shall be paid to the members of Council and of the Finance and General Purposes Committee and any other Committee set up by Council allowances in respect of traveling and other reasonable expenses, at such rates as may from time to time be fixed by the Council.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Law, but shall meet at least three times in a year.
- (9) If requested in writing by any five members of Council, the Chairman shall within twenty-eight days after the receipt of such request call a meeting of the Council. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at the meeting.

Functions of the Senate

- 10(1) Subject to section 5 of this Law and subsections (3) and (4) of his section, and to the provisions of this Law relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, the admission (where no other enactment provides to the contrary) of students and the discipline of students, and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject therein mentioned, it shall in particular be the function of the senate to make provision for-
 - (a) the establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title, Professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of the students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University, and

- (h) Determining what descriptions of dress and dress code shall be academic dress for the purpose of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research unit of the University without the approval of the Council.
- (4) Subject to this Law and the statute, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions for any matter for which provision by regulations is authorized by this Law or 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 higher reputation.
- (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, certificate or other award of the University which has been conferred upon him/her if after due inquiry he/she is shown to have been guilty of dishonourable or scandalous act in obtaining the award.
- 11(1) The Vice-Chancellor shall, in relation to the University take precedence before all other members of the University except the Chancellor, and subject to section 8 of this Law, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Law the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Law or other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate.

Functions of the
Vice Chancellor

TRANSFER OF PROPERTY, ETC TO THE UNIVERSITY

- 12.(1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purposes of the University.
- (2) The provisions of the Second Schedule to this Law 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.

Transfer of
Property,
Functions, etc

STATUTES OF THE UNIVERSITY

Power of the University to make Statutes

- 13(1). Subject to this Law, the University may make statutes for any of the following purposes, that is to say:-
- making provision with respect to the composition and constitution of any of the University;
 - 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;
 - determining whether any particular matter is to be treated as an academic or non-academic matter for the purpose of this Law and of any statute, regulating or other instrument made there under, or
 - making provision for any other matter for which provision is authorized by statute or this Law;
 - regulating the admission of students where it is done by the University and their discipline and welfare.
- (2) Subject to the provisions of this Law, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 27(i) of the Act.
- (3) The Statute contained in the Third Schedule to this Law shall be deemed to have come into force on the commencement of this Law and shall be deemed to have been under this section.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Law or any subsequent statute.

Mode of exercising power to make statutes

- 14(1). The power of the University to make statutes shall be exercised in accordance with the provision of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved.
- at a meeting of the Senate, by the votes of not less than two-thirds of the members present and voting, and
 - 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:-
- makes provision for or alters the composition or

constitution of the Council, and Senate or any other authority of the University,

or
(b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college is established, shall not come into operation unless it has been established by the State Executive Council.

- (5) For the purpose of section 2(2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council, after having been duly approved by the Senate or on the date at which it is duly approved by the 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 State Executive Council.
15. A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a Certificate purporting to be signed by the Vice Chancellor or Registrar to the effect that the copy is true copy of a statute of the University.

Proof of Statute

SUPERVISION AND DISCIPLINE

- 16(1). The Governor shall be the Visitor of the University
- (2) The Visitor shall as often as the circumstances may require, conduct a visitation of the University or direct that such a visitation be conducted by such 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.
- (a) to make available to the Visitor, to any other persons conducting a visitation in pursuance of this section, such facilities as assistance as he or they may reasonably require for the purpose of a visitation, and
- (b) to give effect to any instruction consistent with the provisions of this Law which may be given by the Visitor in consequence of a visitation.
- 17(1) In the event of any doubt or dispute arising at anytime as to the meaning of any provision of a statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he/she shall think fit.
- (2) The decision of the Visitor on any matter referred to him/her under this section shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that

The Visitor

Power of Visitor to decide meaning of a Statute

provision shall be entertained by any court of Law in Nigeria, provided that nothing in this subsection shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being *ultra vires* or as being inconsistent with the Constitution of the Federal Republic of Nigeria.

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

Removal of
certain members
of Council

- 18(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his/her office or employment, the Council shall make recommendation to that effect through the Honourable Commissioner for Education to the Executive Council after making such inquiries (if any) as may be considered appropriate, approves the recommendation, it may direct the removal of the person in question from office.

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

Removal of and
discipline of
academic,
administrative
and professional
staff

- 19(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/her office or employment on the grounds of misconduct or of inability to perform the functions of his/her office or employment, the Council shall:-

- (a) give notice of those reasons to the person in question;
- (b) afford him/her an opportunity of making representation in person on the matter to the Council, and
- (c) the Council shall set up a committee to investigate the matter and report to it and
- (d) the person in question shall be afforded an opportunity of appearing before and being heard by the investigation committee with respect to the matter, and if the Council, after considering the report of the investigation committee, is satisfied that the person in question should be removed as aforesaid, Council may so remove him/her by an instrument in writing signed on the directions of the Council.

- (2) The Vice Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his/her duties or appointment may be terminated by Council, and for the purpose of this sub-section "good cause" means:-
- (a) Conviction for any offence that Council considers to be such as to render the person concerned unfit for the discharge of the functions of his/her 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/her office, or
 - (c) Conduct of a scandalous or other disgraceful nature, which Council considers to be such as to render the person concerned unfit to continue to hold his/her office.
 - (d) Conduct, which Council considers, is such as to constitute failure or inability of the person concerned to discharge the function of his/her office or to comply with the terms and conditions of his/her service.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and Council shall before expiration of a period of three months after the date 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/her emoluments to be paid to him) or
 - (b) whether to reinstate such person in which case Council shall restore his/her full emoluments to him/her with effect from the date of suspension or,
 - (c) whether to terminate the appointment of the person concerned in which case a person shall not be entitled to the proportion of his/her 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/her emoluments that might have been withheld) as Council pursuant to this section decides to continue a person's suspension or decides to take further disciplinary action against a person, it shall before the expiration of a period of three months from such decision come to final determination in respect of the case concerning any such person.

- (5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of section (1) of this section to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provision of this section shall prevent the Council from making regulation for the discipline of other categories of staff and workers of the University as may be prescribed.
- 20(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/her office or appointment, then, except in such as may be prescribed, he/she may, after affording the examiner an opportunity of making representation on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor and, subject to the provision of regulations made in pursuance of this law, the Vice Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in place of the examiner in place of the examiner removed in pursuance of this subsection.
- (2) It shall be the duty of the Vice Chancellor on signing an instrument of removal in pursuance of this section, to use his/her best endeavour to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- 21(1) Subject to the provision of this section, where it appears to the Vice Chancellor that any student of the University has been guilty of misconduct, the Vice Chancellor may without prejudice to any other disciplinary powers conferred on him/her by statute or regulations direct:-
- that the student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be specified, or
 - 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
 - that the student be rusticated for such period as may be specified in the direction, or
 - that the student be expelled from the University.
- (2) Where a direction is given under subsection (1) (c) or (d) of this

Removal of
ExaminerDiscipline of
Students

section in respect of any student, the student, within the prescribed period and in the prescribed manner, appeal from the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter, as Council considers just, may either confirm or set aside the direction or modify it in such manner as the Council think fit.

- (3) The fact that an appeal from a direction is brought in pursuance of the last foregoing sub section shall not affect the question of the direction while the appeal is pending.
- (4) The Vice Chancellor may delegate his/her powers under this section to a disciplinary board consisting of such members of the University as he/she may so nominate.
- (5) Nothing in this section shall be construed as preventing the restriction of termination of a student's activities at the University otherwise than on grounds of misconduct.
- (6) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

PART IV - FINANCIAL PROVISIONS

Funding

- 22(1) The funding of the University shall be through the following:-
 - (a) 5% of State monthly Statutory Allocation.
 - (b) Tuition, charges and levies as may be proposed by Council and approved by Government.
 - (c) 5% Statutory Allocation from all the 27 Local Governments in the State and any other new Local Government or Development Area created after.
 - (d) 2% of State Education Endowment Fund.
 - (e) 2.5% of contracts awarded on behalf of the University.
 - (f) Consultancy fees.
 - (g) Donations and endowments, and
 - (h) Other sources as Council may from time to time determine.
- (2) 1% of all contracts awarded in the state.
 - (a) That each Local Government Council in the State shall provide special project in the University which shall be named after that Local Government.
 - (b) That the University should have its own senior staff condition of service and regulation.
 - (c) That sponsorship of staff of the University should have regulations/condition of service with bond/agreement for a period of at least seven (7) years.

MISCELLANEOUS AND GENERAL PROVISIONS

- 23(1) Without prejudice to the provision of the Land Use Act, the University shall not dispose of or change any land or an interest in any land (including any land transferred to the University by this Law) except with the prior written consent, either general or specific, of the State Executive Council. *Restriction on disposal of land by University*
- (2) Provided that such consent shall not be required in the case of any lease or tenancy at a rent for a term not exceeding twenty-one years or any lease or tenancy to a member of the University for residential purposes.
- 24 Except as may be otherwise provided by statute or by regulation, the quorum and procedure of anybody of persons established by this Law shall be such as may be determined by the body. *Quorum and procedure of bodies established by the Law*
- 25(1) Any body or persons established by this Law without prejudice to the generality of the powers of the body, have power to appoint committees, which need not consist exclusively of the members of that body, and to authorize a committee established by it. *Appointment of Committee*
- (a) to exercise on its behalf, such of its function as it may determine;
- (b) to co-opt members and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more bodies may arrange for the holding of joint meetings of those bodies, for the appointment of committee consisting of members of those bodies, for the purpose of considering any matter within the competence of these bodies or any of them, and either of dealing with it or of reporting on it to those bodies of any of them.
- (3) Except as may be otherwise provided by the statute or by regulation, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold meeting.
- (4) Nothing in the foregoing provisions of this section shall be construed as:-
- (a) enabling statutes to be made otherwise than in accordance with section 13 of this Law or
- (b) enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.

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

Miscellaneous
Administrative
Provisions

- 26(1) The Seal of the University shall be such as may be determined by the Council and approved by the Chancellor and the affixing of the seal shall be authorized by any member of Council, Registrar or any other person authorized by the Senate.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of any body established in pursuance of this Law shall not be affected by any vacancy in the membership of the body or any defect in the appointment of a member of the body or by reason that any person not entitled to do so 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 declare his interest to the body and shall not participate in deliberation or vote on any question relating to the matter.
- (6) The power conferred by this law to make statutes or regulation shall include power to revoke or vary any statute (including the statute contained in the Third Schedule to this Law) or any regulation by a subsequent regulation, and statute and regulation may make different provision in relation to different circumstances.
- (7) Any notice or other instrument authorized to be served by virtue of this Law may, without prejudice to any mode of service be served by post.

FIRST SCHEDULE
PRINCIPAL OFFICERS OF THE UNIVERSITY

- | | | |
|-----|---|---------------------|
| | | The Chancellor |
| 1. | (1) The Chancellor shall be appointed by the Governor in consultation with the Visitor. | |
| 2. | (1) The Chancellor shall hold office for a period of four (4) years.

(2) If it appears to the Visitor that the Chancellor should be removed from office on the ground of misconduct or inability to perform the function of his/her office, the Visitor may by notice in the State Gazette remove the Chancellor from office. | |
| 3. | (1) The Pro-Chancellor shall be appointed or removed by the Visitor.

(2) Subject to the provision of this Law the Pro-Chancellor shall hold office for a period of four (4) years beginning with the date of appointment. | The Pro-Chancellor |
| 4. | (1) Subject to the provision of this paragraph, the 1 st Vice Chancellor shall be appointed by the Visitor from a list of three nominees submitted to him/her by the Council. The subsequent ones shall be appointed in accordance with the following procedures:-

(2) Where a vacancy occurs in the post of a Vice-Chancellor the Council shall:-
(a) Advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, spreading:

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

(b) Constitute a search team consisting of:
(i) a member of Council who is not a member of the Senate, as Chairman;
(ii) two members of the Senate who are not members of the Council, one of whom, shall be a Professor;
(iii) two members of congregation who are not members of the council, one of whom, shall a Professor; to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so. | The Vice Chancellor |
| (3) | A Joint Council and Senate Selection Board consisting of:
(a) the Pro-Chancellor as Chairman
(b) two members of the Council, not being members of the Senate
(c) two members of the Senate who are Professors; but who | |

were not members of the Search Team, shall consider the candidates and persons on the short list drawn under subsection (2) of this section through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.

- (4) The Council shall select three candidates from among the candidates recommended to it under subsection (3) of this section and may indicate its order of preference stating the reasons therefore and forwarding the names to the Visitor.
 - (5) The Visitor may appoint or reject as Vice-Chancellor, any one of the candidates recommended to him/her under the provisions of sub-section (4) of this section.
 - (6) If the Visitor rejects a candidate under subsection (5) of this section, the Council shall forward another name.
 - (7) The Vice-Chancellor shall hold office for one term of five years and thereafter he/she shall no longer be eligible for reappointment until at least five years have elapsed since he/she last held office as Vice-Chancellor.
 - (8) Subject to this paragraph, the Vice Chancellor shall hold office on such terms as to the emoluments and otherwise as may be specified of his/her instrument appointment.
 - (9) For avoidance of doubt the provisions of subsection (6) of this section shall:-
 - (a) only be applicable to those appointment to the office of Vice Chancellor after the end of the tenure of Implementation Committee of the University;
 - (b) not confer on a person serving a first term of office as Vice Chancellor under the Implementation Committee any right of renewal of appointment for further term of five years.
- 4.
- (1) There shall be for the University at least one Deputy Vice Chancellor and such number of additional Deputy Vice Chancellors as Councils may, from time to time, deem necessary for the proper administration of the University.
 - (2) The Deputy Vice Chancellor shall assist the Vice Chancellor in the day to day administration of the University and perform such other functions or duties as will be directed by the Vice Chancellor or when the office of the Vice Chancellor is vacant or the Vice Chancellor for any other reasons absent or otherwise unable to perform his/her functions as Vice Chancellor.
 - (3) The term of office shall be two (2) years renewable only once beginning with effective date of his/her appointment, and on such other terms as to the emolument of his/her office and otherwise as

may be specified in his/her instrument of appointment.

- (4) A person who has held office as a Deputy Vice Chancellor for a continuous period of not less four (4) years, or would have held it but for his/her resignation, shall not be eligible for appointment as Deputy Vice Chancellor during the two years immediately following the end of that period.
- (5) Where a vacancy occurs in the post of Deputy Vice Chancellor, the Vice Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice Chancellor that is vacant.
- (6) Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (5) of this section and forward his/her name to the Council for confirmation.
- (7) Where:-
 - (a) The Senate rejects the two candidates forwarded to it by the Vice Chancellor under subsection (5) of this section; the Vice Chancellor shall submit another list.
 - (b) If the Council rejects the name sent to it under subsection (6) of this section, the Senate shall send the name of other candidate on the list forwarded to it by Vice Chancellor under subsection (5) of this section.
 - (c) If the Deputy Vice Chancellor vacates office before the expiration of his/her period of office, the Council may, if it thinks fit, appoint his/her successor to hold office for the unexpired portion of that period.

OTHER PRINCIPAL OFFICERS OF THE UNIVERSITY

- 5(1) (a) There shall be Registrar who be chief administrative officer of the University and shall be responsible to the Vice Chancellor for the day to day administrative work of the University except as regard matters for which the Bursar is responsible in accordance with sub-paragraph (2) of this paragraph.
 - (b) The Registrar shall hold office for a term of four years and may be reappointed by the Council for a second term. The person holding the office of registrar shall by virtue of that office be Secretary to the Council, Senate, Congregation and Convocation.
- (2) (a) There shall be a Bursar, who shall be the Chief Financial Officer of the University and shall be responsible to the Vice Chancellor for the day to day administration and control of financial affairs of the University.
 - (b) The Bursar shall hold office for a term of four years and may be reappointed by the Council for a second term.

- (3)(a) There shall be a Librarian, who shall be responsible to the Vice Chancellor for the administration of the University Library and the coordination of all the library services in the University and its campuses, colleges, faculties, schools, departments, and institutes and other teaching or research units.
- (b) The Librarian shall hold office for a term of four years and may be reappointed by the Council for a second term.
- (4) The officers aforesaid shall be appointed in such manners as may be specified by statute and shall hold office for such period and on such terms as to the emolument of their office and otherwise as may be specified.
- (5) Any question as to the scope of responsibilities of the aforesaid officers shall be determined by the Vice Chancellor.

RESIGNATION AND RE-APPOINTMENT

- 6(1) Any officer mentioned in the foregoing provision of this schedule may resign his office,
- (a) in the case of the Chancellor and Pro-Chancellor by notice to the Visitor,
- (b) in any case, by notice to the Council and the Council shall immediately notify the Visitor in the case of the Vice Chancellor.
- (2) Subject to paragraph 4 of this Schedule a person who has ceased to hold office so mentioned otherwise than by removal for misconduct shall be eligible for reappointment to that office.
- (3) (a) The Visitor may remove any officer in the foregoing provision of this schedule.

SECOND SCHEDULE

PROVISION AS TO PROPERTY, FUNCTIONS, ETC

Transfer of property to University

- 1 Without prejudice to the generality of the provisions of section 12(1) of this Law:-
- (a) The reference in that subsection to the property held by the Implementation Committee shall include a reference to the right to receive and give a good discharge for any grants or contributions, which have been voted or promised to the

Implementation Committee;

- (b) all debts and liabilities of the Implementation Committee outstanding shall become debts or liabilities of the University.
- 2 (1) all agreements, contracts deeds and other instruments to which the Implementation Committee was a party shall, so far as possible and subject to any necessary modifications have effect as if the University had been a party thereto in place of the Implementation Committee.
 - (2) Documents not falling within sub-paragraph (1) of this paragraph, including enactment, which refer whether specifically or generally to the Implementation Committee shall be construed in accordance with the sub-paragraph so far as applicable.
 - (3) Any legal proceedings or application to any authority pending by or against the Implementation Committee may be continued by or against the University.

Registration of Transfer and Transitional Provision

3. If the Law in force at the place where any property transferred by this Law is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the Law shall, so far as it or provides for alteration of a register (but not for avoidance of transfer, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property aforesaid, and it shall be the duty of the body to which any property is transferred by this Law to furnish the necessary particulars of the transfers to the proper office of the registration authority and of that officer to register the transfer accordingly.
4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he/she may determine.
- (2) The persons who were members of the Implementation Committee shall be deemed to constitute the Council until the date when the Council is set up under the Third Schedule of this Law shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Law shall be convened by the Vice-Chancellor on such date in such manner as he may determine.
- (4) The persons who were members of the Senate immediately before the coming into force of this Law shall be deemed to constitute the Senate of the University until the date when

the Senate as set up under the Third Schedule of this Law shall have been constituted.

- (5) Subject to any regulations which may be made by the Senate after the date on which this Law is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Law shall on the day become faculties, faculty boards and students of the University constituted by this Law.
- (6) Persons who were Deans or Deputy Deans or became members of the corresponding Faculty Boards, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Implementation Committee shall become the holder of appointment at the University with the status, designation and functions which corresponds nearly as may be to those which appertained to him/her as a member of that staff or as such an employee.

THIRD SCHEDULE

BORNO STATE UNIVERSITY STATUTE NO. 1

ARRANGEMENT OF ARTICLES

ARTICLE

The Council
 Finance and General Purpose Committee
 Senate
 Congregation
 Convocation
 Organization of Faculties and Branches thereof
 Faculty Boards
 Dean of Faculty
 Selection of certain Principal Officers
 Creation of Academic Posts
 Creation of Academic Staff
 Appointment of Academic Staff
 Appointment of Administrative and Professional staff
 Appointment of Junior staff

The Council

1. (1) Council shall consist of:-
- The Pro-Chancellor
 - The Vice-Chancellor and Deputy Vice-Chancellors (Administration and Academic
 - Three (3) persons representing a variety of interests and broadly representative the State appointed by the Visitor

- (d) Two (2) persons appointed by Congregation from among the members of the body.
 - (e) One (1) representative of the Ministry of Finance
 - (f) Four (4) persons appointed by Senate from among the members of the body
 - (g) One (1) member representing convocation
 - (h) One (1) representative of Ministry of Education.
- (2) The Council so constituted have a tenure of four years from the date of its inauguration provided that, where a Council is found to be incompetent it shall be dissolved by the Visitor and a new Council shall be immediately constituted for effective functioning of the University.
- (3) 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/her office.
- (4) 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 date of his/her first appointment.
- (5) Where a member of the Council holding office otherwise than in the 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/she was appointed may appoint a successor to hold office for the residue of the term of his/her predecessor.
- (6) 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.
- (7) The quorum of Council shall be five at least one of whom shall be a member appointed pursuant to paragraph (1) (c), (f) or (h) of this article.
- (8) If the Pro-Chancellor is not present at a meeting of Council, such other external 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 8 of the Law and the foregoing provisions of this paragraph, Council may regulate its own procedure.
- (9) Where 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 deliberation of the Council of 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/she is present.
 - (b) The Vice-Chancellor, Deputy Vice Chancellor (Administration and Academic).

- (c) Four other members of the Council appointed by the Council, two of whom shall be selected from members of the Council appointed by Senate and one member, appointed to the Council by Congregation.
 - (d) One representative each from Ministries of Education and Finance.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any direction 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-Chancellor
 - (b) All Professors
 - (c) Deans of Faculties
 - (d) Directors of the Institutes and Research Centres
 - (e) The Librarian
 - (f) The persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor.
 - (g) such lecturers (of Senior lecturer rank and above and not being more than two in respect of each faculty) as may be elected from among the members of each faculty, the total number thereof to be determined from time to time by the Senate.
 - (h) The Registrar as Secretary.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he/she is present; and in his/her 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) above, 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 selection of elected members 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 from the day of his/her election and may be a candidate at any election held in pursuance of paragraph (5) above in the year in which his/her period of office expires, so however that no person of the office he/she will have held office as an elected member for a continuous period of (4) years or 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 (9) 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) above; but 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/she is to continue in or take office as an elected member.

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

- (1) Congregation shall consist of,
- The Vice-Chancellor and Deputy Vice-Chancellor
 - The full time members of the Academic staff
 - The Registrar
 - The Bursar
 - The Director of Works, Physical Planning and Development
 - Every member of the administrative staff who holds degree of any University recognized for the purpose of this statute by the Vice Chancellor, not being a honorary degree.
- (2) Subject to section 8 of this Law, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he/she is present, and in his/her absence such other member of Congregation present at the meeting as the Congregation may appoint for that meeting shall be the chairman at the meeting.
- (3) The Quorum of the Congregation shall be one third of the total number of members of the congregation or fifty, which ever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
- The total number of members of Congregation for the purpose of any particular meeting or meeting of the Congregation.
 - The name of the persons, who are members of the 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 resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing two members of the Council as may be provided by statute or regulations.

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Convocation

5. (1) Convocation shall consist of,
- (a) the officers of the University mentioned in the First Schedule of the Law
 - (b) all teachers within the meaning of the law and
 - (c) all persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his/her name registered as a member of Convocation if:-
- (a) he/she is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purpose of this paragraph and
 - (b) he/she applied for this registration of his/her name in the prescribed manner and pays the prescribed fees, and regulation shall provide for the establishment and maintenance of a register for the purpose of this paragraph and paragraph (3) of this article may provide for the payment from time to time of further fees by the person whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (3) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for time being members of Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (4) A person who reasonably claims that he is entitled to have his/her name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal office of the University at all reasonable times.
- (5) The register shall, unless the contrary is provided, be sufficient evidence that any name 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 made from the register on or before that date shall be disregarded.
- (6) The quorum of Convocation shall be fifty or one-third (or the whole number nearest one-third) of the total number of members of Convocation which ever is less.
- (7) Subject to section 8 of this Law, the Chancellor shall be Chairman at all meetings of Convocation when he/she is present and in his/her absence the Vice-Chancellor shall be the Chairman at the meeting.
- (8) Convocation shall have such functions as appointing a member of the Council, as may be provided.

Organization of Faculties and Branches thereof

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

Faculty Boards

7. (1) There shall be established in respect of each Faculty, a Faculty Board, which subject to provisions of this law, the Vice-Chancellor, shall:-
 - (a) regulate the teaching and study of and the conduct of examination connected with the subject assigned to the Faculty.
 - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or the Senate.
- (2) Each Faculty Board shall consist of:
 - (a) Dean of the Faculty;
 - (b) The Deputy Dean;
 - (c) The Heads of Departments
 - (d) All academic staff.
- (3) The quorum of the Board shall be $\frac{3}{4}$ of the members for the time being of the Board and subject to the provision of the statute and to any provision made by regulation in that behalf, the Board may regulate its own procedure.

The Dean of Faculty

- 8.(1) The Deans of Faculties shall be elected from among the Professors or Head of Department by the Faculty Boards and such Dean shall hold office for a term of two years and shall be eligible for re-election for another term of two years after which he/she may not be elected again until two years has elapsed.
 - (2) If there is no professor in a faculty, the office of the Dean of the Faculty shall be held in rotation by members of the faculty holding the ranks of reader or senior lecturer on the basis of seniority as determined by the Senate.
 - (3) The Dean shall be the Chairman at all meetings of the Faculty Board when he is present and shall be a member of all committees and other Boards appointed by the Faculty.
 - (4) The Dean shall exercise general superintendence over the academic and administrative affairs of the Faculty; it shall be the function of the dean to present to Convocation for the conferment of degrees persons who are qualified for the degree of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
 - (5) There shall be a committee to be known as "Committee of Deans and Provosts" consisting of all the deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council by Senate.
 - (6) The Dean of a faculty may be removed from office for good cause by 2/3 majority of the Faculty Board after a vote would have been taken at a meeting of the Board and in the event of a vacancy occurring following the removal of the Dean, an acting Dean may be appointed by the Vice-Chancellor provided that at the next Faculty Board meeting an election shall be held for a new Dean.
 - (7) There shall be a Head of Department to be appointed by the Vice-Chancellor for each department. The duration of appointment shall be as in the instrument of his/her appointment.

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- (8) There shall be a Director who shall be the administrative staff head of a centre duty established by the University. He/she shall be the chairman of the senior staff committee of the Centre and any other academic committees.

(9) In this article, good cause, has the same meaning as in section 18(3) of this Law.

Selection of certain Principal Officers

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

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

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

Creation of Academic Posts

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

Appointment of Academic Staff

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

Retiring Age of Academic staff of the University (CPA 346LFN/DECREE No. 11 of 1993)

- 12.(1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of the University shall be sixty-five years. (2) A Law or rule requiring a person to retire from the public service after serving for thirty-five years shall not apply to an academic staff of the University.

Special Provisions relating to Pension of Professors

- 13.(1) A person who retires as a Professor having served:

- (a) a minimum period of fifteen years as a professor in the University or continuously in the service of a University in Nigeria up to the retiring age; and
- (c) who during the period of service was absent from the University only on approved national or University assignment shall be entitled to pension at a rate equivalent to his last annual salary and such allowances, as the Council may, from time to time determine as qualifying for pensions and gratuity, in addition to.

Appointment of Administrative and Professional Staff

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

Interpretation

15. IN this statute the expression "the Law" means the Borno State University Law. Any expression defined in the Law has same meaning in this article.

Short Title

16. This statute may be cited as the Borno State University Statute No. 1.

EXPLANATORY NOTE

This printed impression has been carefully compared by me with the Bill which has passed the Borno State House of Assembly and found by me to be a true and correctly printed copy of the Law.

LAWAN KURU GAZABURE
AG. CLERK OF THE
BORNO STATE HOUSE OF ASSEMBLY