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PLATEAU STATE UNIVERSITY LAW NO.4 OF 2006.

**A LAW TO PROVIDE FOR THE ESTABLISHMENT AND INCORPORATION
OF THE PLATEAU STATE UNIVERSITY, BOKKOS AND TO MAKE
COMPREHENSIVE PROVISIONS FOR ITS DUE ADMINISTRATION**

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

Citation and
Commencement

1. This Law may be cited as the Plateau State University Law, 2005
and shall come into operation on the 7th day of March 2005.

Interpretation

2. In this Law, unless the context otherwise requires:-
"campus" means any campus, which may be established by the
University;
"College" means any College, which may be established by the
University;
"graduate" means a person on whom the University has conferred
a degree, other than an honorary degree;
"Governor" means the Executive Governor of Plateau State and
the Visitor to the University;
"notice" means notice in writing;
"officer" does not include the Visitor;
"prescribed" means prescribed by statute or regulations;
"professor" means a person designated as a Professor of the
University in accordance with provisions made in that behalf by
"Council" means the Council established pursuant to section 5(3)
of this Law for the University;
statute or by regulations;
"property" includes rights, liabilities and obligations;
"regulations" means regulations made by the Senate or the
Council;
"the Senate" means the Senate of the University established
pursuant to Section 5(3) of this Law;
"school" means a unit of closely related academic Programmes;
"State" means Plateau State;
"Statutes" means a statute made by the University under section 13
of this Law;
"Student" means a person who has registered, matriculated and is
undergoing approved course of study in the University;
"Teacher" means a person holding a full time appointment as a
member of the teaching staff of the University;
"the University" means the Plateau State University established
under section 3 of this Law;

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"Undergraduate" means a person in *statu pupillari* at the University, other than a:

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

Establishment of
the University.

3(1) There is hereby established the Plateau State University, ^{mu}Bokkos which shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(2) The University shall have power to acquire and hold any movable or immovable property and to enter into any contract or other transaction for the purpose of discharging its functions under this Law.

(3) It is hereby declared that where in any provision of this Law 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 proposal or recommendation received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward its own comments thereon.

Objectives of
the University

4.

The objectives of the University shall be to:

- (a) encourage the advancement of learning to hold out to all persons, without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher and liberal education in Science, Technology and Humanities.
- (b) provide and promote sound basic education as the foundation for the development of society, culture and social institutions, technology and applied sciences.
- (c) develop and offer academic and professional programmes with emphasis on productive skills leading to the award of certificates, diplomas, and degree in the scientific, engineering, agricultural, environmental, arts and social science and allied professional disciplines.

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- (d) encourage and promote scholarship and conduct research in all fields of learning and human endeavours.
- (e) Offer to the public the results of teaching and research and to foster the practical application of these results.
- (f) Inculcate in the students good moral leadership values and a capacity to freely explore and follow the truth as well as excellence in service.
- (g) Establish appropriate relationships with other national and international institutions involved in training, research and development of science, technology and humanities.
- (h) Relate its activities to the social, cultural and economic needs of the people of Plateau State in particular and Nigeria in general.
- (i) Undertake any other activities appropriate for University of the highest standard.

Constitution and
Principal
Officers of the
University.

5(1) The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;
- (c) a Vice-Chancellor and 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 the first schedule to this Law other than those mentioned in paragraphs (a) to (c) of this subsection;
- (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) The first schedule to this Law shall have effect with respect to the principal officers of the University therein mentioned
- (3) Provision shall be made by statute with respect to the constitution of the following bodies, namely, Council, the Senate, Congregation and Convocation.

Power of the
University and
its exercise.

- 6(1) For the carrying out of its objectives specified in Section 4 of this Law, the University shall have power to:
- (a) 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 University Commission;
 - (b) Institute Professorship Associate Professorships, Lecturerships, and other posts and offices and to make appointments thereto;
 - (c) Institute and award fellowships, scholarship, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) Provide for the discipline and welfare of members of the University;
 - (e) Hold examination and grant degrees, diplomas, certificates and other academic titles and distinctions to persons who have pursued a course of study approved by the University may lay down;
 - (f) Grant honorary degrees, fellowships and other academic titles;
 - (g) Demand and receive from any student or any other person attending the University for the purpose of instruction, such fees as the University may from time to time determine subject to the overall directives of the Council;
 - (h) Acquire, hold grant, charge or otherwise deal with or dispose of movable and immovable property wherever situated subject to section 22 f this Law;
 - (i) Accept gifts, legacies and donations but 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 trustees, solely or jointly with any other person, and employ and act through agents;

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- (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 or suitable or convenient for any of the objects of the University;
- (l) Hold public lectures and to undertake printing, publishing and book selling;
- (m) Invest, subject to any limitations or conditions imposed by statute, any moneys appertaining to the University by way of endowment, whether for general or special purposes and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to and to deposit any current moneys not invested with any bank on deposit or current account;
- (n) Borrow, whether on interest or not and if need be upon the security of any or all of the property movable or immovable of the University, such moneys as the University 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) make gifts for any charitable purpose;
- (p) do anything which it is authorized or required by this Law or by statute, ordinance or regulation;
- (q) Do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

(2) The powers conferred on the University by subsection (1) of this section shall, subject to the provisions of this Law and of the statute and, without prejudice to section 9(1) of this Law, be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by statute.

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

The Chancellor: -7.

The Chancellor shall in relation to the University, take precedence before all other members of the University, and when present, shall preside at all Meetings of convocation.

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The Pro-Chancellor and Council

8(1) The Pro-Chancellor of the University who shall in relation to the University, take precedence before all other members of the University except the Chancellor and except the Vice-Chancellor when acting as Chairman of Congregation or convocation. The Pro-Chancellor shall, when present, be the Chairman at all meetings of the Council.

Function of the Council and F&GPC

9(1) Subject to the provision of this Law relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University and; except for the Vice-Chancellor and Deputy Vice-Chancellor who are on full time tenure, appointment to the Council shall be on part-time basis.

(2) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee (F&GPC), 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) A list of independent Auditors shall be supplied by the Office of the Accountant-General of the State.

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

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

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- (7) The Rules made pursuant to subsection (6) 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.
 - (8) There shall be paid to the members respectively of the Council, of 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 Government.
 - (9) The Council shall meet as and when necessary for the performance of its functions under this Law, and shall meet at least three times in every year.
 - (10) If requested in writing by any seven members of the Council, the Chairman shall within twenty eight days after the receipt of such request call a meeting of the Council; and the request 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.
- 10(1) Subject to section 9 of this Law and subsections (2) and (3) of this section, and to the provisions of this Law relating to the Visitor, it shall be the general function of the Senate to organise and control the teaching by the University, the admission (where no other enactment provides to the contrary) of students; and the discipline of students; and to promote research at the University.
 - (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:-
 - (a) the establishment, organization and control of campuses, colleges, Schools, institutes and other teaching and research units of the University different branches of learning; of the uni,
 - (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 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 students at the University and the regulation of their conduct;
 - (g) the granting of scholarships, fellowships, 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, programme, 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 Law and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it, either by the foregoing provisions of this section or otherwise, or for the purpose of making provision for any matter for which provision by regulations is authorised or required by this Law or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination, held in conjunction with any course of study at the University is not a teacher at the University, but is a teacher of the branch of learning to which the course relates at some other University of high repute, 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

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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.

Vice
The Chancellor

11(1) The Vice-Chancellor shall in relation ~~Vice-~~ to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Law, other person for the time being acting as Chairman of the Council.

(2) Subject to section ⁶6, 7, 8, 9 and 14 of this Law, the Vice-Chancellor shall have the general functions, in addition to any other functions conferred on him by this Law or otherwise, of directing the activities of the University and shall to the exclusion of any other person or authority be the Chief Executive and Chief Academic Officer of the University and Chairman of the Senate.

Transfer of
property

12(1) All property held by or on behalf of the Council of the 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 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.

Power of
University to
make statutes

13(1) Subject to this Law, the University may make statutes to prescribe and regulate any or all of the following purposes:

- (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

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of this law and of any statute, regulation or other instrument made there under; or

- (c) making provision for any other matter for which provision by statute is authorized or required by this Law.

- (2) The Statute contained in the Third Schedule to this Law shall be deemed to have come into force on the commencement of this Law and shall be deemed to have been made under this section.
- (3) 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:
- (a) Senate, by the votes of not less than two-thirds of the members present and voting ; and
- (b) 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 provisions for or alter 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 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 Executive Council of the State.
- (5) For the purposes of subsection (1) of this section, 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

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been duly approved by 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 Executive Council.

(6) In the event of any doubt or dispute arising at anytime as to:

- (a) the meaning of any provision of a statute, or
- (b) whether any matter is for the purposes of this Law 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 Law shall be binding upon the authorities, staff and students of the University.

Proof of statutes

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 the Registrar/Secretary to the Council to the effect that the copy is a true copy of a statute of the University.

The Visitor.

16(1) The Executive Governor of Plateau State shall be the Visitor of the University.

(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; *and give effect to any instruction*

Removal of certain members of Council

17(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be

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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 to the Governor and if the Governor, 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) A copy of the instrument embodying a direction under subsection (1) shall be served as soon as reasonably practicable on the person to whom it relates.

Removal and
discipline of
academic,
administrative
staff or

Professional
Staff etc

18(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the ~~and professional~~ 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 arrangement:
 - (i) for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council;
 - (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;
 - (iii) 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.

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- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff, which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or 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 services 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 of his/her basic salary with no other emolument 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 whether to:
 - (a) continue such person's suspension, and if so, on what terms (including the proportion of his emoluments to be paid to him);
 - (b) reinstate such person in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

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(d) 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 staff and workers of the University as may be prescribed.

Removal of
examiners

19(1) If on the recommendation of the Senate, it appears to the Vice-Chancellor, that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, he may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.

(2) Subject to the provisions of regulations made in Section 10(5) of this Law, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examine removed in pursuance of subsection (1) of this section.

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- (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

- 20(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 that the:

- (a) 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) 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) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the University.
- (2) Where a direction^{VC} is given under section 20(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 from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made on 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 committee consisting of such members of the University as he may nominate.

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- (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.

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

- 21(1) No persons shall be required to satisfy requirements as to any of the following on matters, that is to say, race (including ethnic grouping), sex, 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 Law.

- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such 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.

Restriction on
disposal of land
University.

- 22(1) Without prejudice to the provisions of the Land Use Act 1978, ^{the} University shall not ~~by~~ dispose of or charge any land or an interest in any land (including any land transferred to the University by this Law) except with the prior written consent of the Visitor:

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 ten years or any lease or tenancy to a member of the University for residential purpose.

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Quorum and
procedure of
bodies
established by
this Law.

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

Appointment of
Committees, etc

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

- (a) exercise, on its behalf, such of its functions as it may determine;
- (b) 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 enabling

- (a) statutes to be made otherwise than in accordance with section 13 of this Law; or
- (b) 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:

- (a) every committee of which the members are wholly or partly appointed by the Council (other than a committee

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appointed to inquire into the conduct of an officer in question); and

- (b) the Vice-Chancellor shall be a member of every committee of which the member are wholly or partly appointed by the Senate.

Miscellaneous
administrative
provisions.

25(1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor; and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Registrar/Secretary to the Council or any other person authorized by statute.

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

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

(4) The validity of any proceedings of any body established in pursuance of this Law shall not be affected by any vacancy in the membership of that 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.

(6) The power conferred by this Law on any body to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the third Schedule to this Law) or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statutes and regulation may make provision in relation to different circumstance.

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- (7) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 12, or the second schedule to this Law.
- (8) Any notice or other instrument authorized to be served by virtue of this Law may, without prejudice to any other mode of service, be served by post.

sources of funding
26(1) The sources of funding of the University shall include the following:

- (a) The state Government, which shall contribute 60% of the approved recurrent and capital estimates of the University. This shall be prioritised and appropriated to the University from all source of revenue due to the State Government monthly.
- (b) The Local Government Councils in the State, which shall jointly contribute the remaining 40% of the approved annual recurrent and capital estimates of the University, subject however, to review from time to time.
- (2) The contributions as specified in paragraph (b) of subsection (1) of this section shall be made on equal basis by all the Local Governments, to be deducted ^{at} source monthly.
- (3) Without prejudice to subsection (1) of this section, the University may obtain additional funding from other sources including the following:
- (a) tuition fees and other charges;
 - (b) development levies;
 - (c) endowment funds;
 - (d) multi-lateral Agencies;
 - (e) Education Tax Fund;
 - (f) Internal revenue;
 - (g) Payments of Publications and services;
 - (h) Interest on Investment;
 - (i) Donations or legacies;
 - (j) Grants-in-aid from overseas and any non-governmental organisation (NGO) or any other sources.

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Legal proceedings.

- 27(1) No suit shall be instituted against the Council or any member of staff of the University or any person acting under the direction of the Council in respect of any act purported to have been done or any neglect of duty under this Law, until the expiration of 30 days after a written notice of intention to commence same has been served on the University.
- (2) Such notice shall clearly and explicitly state the cause of action, the particulars of claim, the name and place of abode of the intending plaintiff and the reliefs which he claims.
- (3) The University may be represented by a legal practitioner at any stage of the proceedings.

SCHEDULES

FIRST SCHEDULE

SECTION 5

PRINCIPAL OFFICERS OF THE UNIVERSITY.

The Chancellor

1. The Chancellor shall be appointed by and hold office at the pleasure of the Executive Governor.

The Pro-Chancellor

- 2(1) The Pro-Chancellor shall be appointed or removed from office by the Governor.
- (2) Subject to the provisions of this Law, 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 Governor ~~after consultation with the University Council.~~
on the recommendation of the
- (2) The Vice-Chancellor shall hold office for a single term of five years, thereafter he shall no longer be eligible for appointment until at least five years have elapsed since he last held office as Vice-Chancellor.

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

Deputy Vice-Chancellor

- 4(1) There shall be for the University one Deputy Vice-Chancellor and such number of additional deputy Vice-Chancellors as may be prescribed. The Deputy Vice-Chancellor shall assist the Vice-Chancellor, in his duties and shall act in place of the vice-chancellor if for any reason he is absent or otherwise unable to perform his function as Vice-Chancellor.

- (2) A deputy Vice Chancellor shall be appointed in such manner as may be specified by statute. *Adopt ABU-54*

- (3) Subject to the provision of this law, a Deputy Vice-Chancellor shall hold office for a period of two and half 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 two and half years, or would so have held it but for his resignation, shall not be eligible for appointment as deputy Vice-Chancellor during the two and half years immediately following the end of that period.

Is used in statute on

Other principal officers of the University

- 5(1) There shall be for the University, a:

- (a) Registrar;
- (b) Bursar; and
- (c) 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 of 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 be, by virtue of that office, 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.

Add to ABU para-4

Term of a DVC 777

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- (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 related 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 provision of this Schedule may resign his office:
 - (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Governor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of Vice-Chancellor, immediately notify the Governor.
- (2) Without prejudice to paragraph (3) and (4) of this schedule, a person who has ceased to hold an office so mentioned, otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

SECOND SCHEDULE**SECTION 12****TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC****Transfer of Property to University**

1. Without prejudice to the generality of section 12 of this Law:
 - (a) the reference in that subsection to property held by the implementation Committee of the Plateau State University shall include a reference to the right to receive and give a good discharge for any grants or contributions that may have been voted or promised to the Implementation Committee of the Plateau State University;

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(b) all debts and liabilities of the Implementation Committee of the Plateau State University outstanding shall become debts or liabilities of the University.

2. (a) All agreements, contracts, deeds and other instruments to which the Implementation Committee of the Plateau State University 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 of the Plateau State University.

(b) Documents not falling within sub-paragraph (a) of this paragraph including enactments, which refer, whether specially or generally, to the Implementation Committee of the Plateau State University, shall be construed in accordance with that sub paragraph so far as applicable.

(c) Any legal proceedings or application to any authority pending, by or against the Implementation Committee of the Plateau State University, may be continued by or against the University.

Registration of Transfer

3. (a) If the law in force at the place where any property transferred by this Law is situated

provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter), apply with the necessary modifications to the transfer of the property aforesaid.

(b) It shall be the duty of the body to which any property is transferred by this Law to furnish the necessary particulars of the transfer to the office of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Function, etc

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

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- (b) The first meeting of the Senate as constituted by this Law shall be convened by the Vice-Chancellor on such date and in such manner as he may determine;
 - (c) The person 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 schedule 3 of this Law shall have been duly constituted;
 - (d) Subject to any regulations which may be made by the Senate after the date on which this Law is made, the schools, school boards and students of the University immediately before the coming into force of this Law shall on that day become Schools, School Boards, and Students of the University as constituted by this Law; and
 - (e) Persons who were Deans of Schools or Members of School Board shall continue to be Deans or become Members of the corresponding Schools Boards, until appointments are made in pursuance of the statutes.
5. Any person who as a member of staff of the University as established or was otherwise employed by the Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

THIRD SCHEDULE

SECTION 13

PLATEAU STATE UNIVERSITY STATUTE NO.1

ARRANGEMENT OF ARTICLES

Article

- 1. The Council
- 2. The Finance and General Purposes Committee (F&GPC)
- 3. The Senate4. Congregation
- 4. Convocation
- 5. Division of Schools
- 6. School Boards
- 7. Dean of the School
- 8. Appointment of the Vice Chancellor

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9. Selection of certain Principal Officers
10. Creation of Academic Posts
11. Appointment of Academic Staff
12. Appointment of Administrative and Professional staff

THE COUNCIL.

1(1) The Council shall consist of:

- (a) the Pro-Chancellor-Chairman;
- (b) the Vice-Chancellor and Deputy Vice-Chancellor;
- (c) two persons from each senatorial district of the State, appointed by the Governor, selected from varied professions with cognate experience;
- (d) two persons appointed by the Senate from among the members of the body;
- (e) two person appointed by Convocation from among the members of that body;
- (f) one person appointed by Convocation from among the members of the body;
- (g) the Permanent Secretary *responsible for higher education* of the Ministry of Education, or his representative;
- (h) the Permanent Secretary of the Ministry of Finance & Economic Planning, or his representative;
- (i) the Solicitor-General and Permanent Secretary, Ministry of Justice or his representative;
- (j) the Permanent Secretary, Establishment Division or his representative;
- (k) a Representative of elected Chairmen of Local Government Councils in the State; and
- (l) Registrar, who shall be the Secretary to Council.

(2) Any member of the Council holding office otherwise than in pursuance of paragraphs (1), (a), (b), (g), (h), (i), (j), (k) 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 paragraphs (1), (b) or (d) of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years.

4) Where a member of the Council holding office otherwise than in pursuance of paragraphs (1) (a), (b) (g) (h), (i), (j) or (k) 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.

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- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be seven at least two of whom shall be members appointed pursuant to paragraph (1) (c) (g) (h), (I) or (j) 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 5 of the Law and the forgoing 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 deliberation of the Council at any meeting but shall not be entitled to vote.

THE FINANCE AND GENERAL PURPOSES COMMITTEE (F&GPC)

- 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-Chancellor;
 - (c) six other members of the Council appointed by the Council one of whom shall be selected from among the two 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 Finance, or in his absence, such member of his Ministry as he may designate to represent him.
 - (e) The Registrar, who shall be the Secretary of the Committee.
- (2) The quorum of the Committee shall be the Chairman or Vice-Chancellor and three other members of the Committee.
- (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-Chancellor;

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- (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) ^{Head and} the coordinators of Programmes;
 - (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) Registrar, who shall be the Secretary to the Senate.
- (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 as the Vice-Chancellor may from time to time determine.
- (6) An elected member shall hold office for the period of two years 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. However 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 is less than, or exactly equal to, thrice the number of those elected members holding office on the date of the Certificate and who would not in pursuance of paragraph (6) of this article, vacate office that year.

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- (8) For the avoidance of doubt it is hereby declared that no elected member shall be precluded from continuing in or taking office as an elected member, by reason only of a reduction in the total number of non-elected members, in any year in which he is to continue in or take office.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence the Deputy Vice-Chancellor 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 that day to be the number of persons holding office as members of the Senate otherwise than as elected members.

CONGREGATION

- 4(1) Congregation shall consist of:
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
 - (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 or Institution recognized for the purposes of this Statute by the Vice-Chancellor.
- (2) Subject to sections 5 of this Law, the Vice-Chancellor shall be the Chairman at all meetings of Congregation when he is present; and in his absence the Congregation may appoint for that meeting a Chairman.
- (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 either the:
 - (a) total number of members of congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) 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.

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- (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 other functions, in addition to the function of electing two members of the Council, as may be provided by statute or regulations.

CONVOCATION

- 5(1) A Convocation for the conferment of degrees and other academic titles and distinctions of the University shall be held normally once every year at such time and place as shall be determined by the Senate. The person presiding shall confer the degrees, academic titles and distinctions.
- (2) The Convocation shall consist of:
 - (a) the Officers of the University mentioned in Schedule 1 paragraph 2-5;
 - (b) all academic staff of University; and
 - (c) all other persons whose names are registered in accordance with paragraph (4) of this Article.
- (3) A person shall be entitled to have his name registered as member of the Convocation if he:
 - (a) is either a graduate of the University, or a person who satisfies such requirements as may be prescribed for the purpose of this sub-paragraph; and
 - (b) applied for registration of his name in the prescribed manner and pays the prescribed fees.
- (4) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (5) 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.
- (5) The person responsible for maintaining the register shall, ensure that the names of all persons who are for the time being members of Convocation by virtue of paragraph (2) (a) or (b) of this article are entered and retained on the register, without the payment of any fees.

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- (6) 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 Vice-Chancellor's office at all reasonable times.
- (7) 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.
- (8) 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.
- (9) Subject to Section 5 of the Law, the Chancellor shall be Chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the Chairman at the meeting.
- (10) 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 SCHOOLS

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

SCHOOL BOARD

- 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 on charge of the branches of the School; and

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- (d) some of the teachers assigned to the School and having the prescribed qualifications as the Board may determine.
- (3) The quorum of the Board shall be eight members or one-quarter, which ever 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, elect one of its members, from among academic staff not below the rank of a Senior Lecturer assigned to that teaching unit, for ratification by the Vice-Chancellor as Dean of the school.
- (2) The person appointed under paragraph 8(1) of this article shall act as Dean of the School and *Chairman at all meeting 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 the academic matters and on particular matter to be referred to the University Council by the Senate.
- (7) The Dean of a School may be removed from office for good cause by the Vice-Chancellor after the School Board would have passed a vote of no confidence 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, or as soon as the conditions permit, an election shall be held for a new Dean.

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- (8) In this Article "good cause" has the same meaning as in Section 17(3) of this Law.

APPOINTMENT OF THE VICE-CHANCELLOR AND PROCEDURE THEREFOR

- 9(1) (a) The first Vice-Chancellor shall be appointed by the Visitor; and
(b) ~~The~~ subsequent Vice-Chancellor shall be appointed by the Visitor to the University on the recommendation of the Council, in pursuance of Paragraph (2) of this Article.
- (2) An existing vacant position of the Vice-Chancellor of the University shall be declared by the Council at its meeting, lawfully held.
- (3) Such a declaration shall find public expression in placement of internal and external advertisement for applications from suitably qualified candidates in any two widely circulated Nigerian Newspapers.
- (4) A joint Sub-Committee of the Council and Senate, with the Chairman appointed by Council and four members appointed by Senate respectively, shall constitute a search team, the duty of which shall be to enrich the pool of qualified prospective candidates. The Sub-Committee shall make its recommendations to Council immediately on completion of its assignment.
- (5) The Council shall thereafter, invite those candidates deemed to be qualified for interview by a joint Council and Senate Selection Board, at which the Chairman of Council shall preside, and forward the report to Council.
- (6) The Joint Council and Senate Selection Board shall be made of two members of Council who, are not among those elected by Senate, Congregation or Convocation and two members elected by the Senate who are not members of Council, with the Pro-Chancellor as Chairman.
- (7) The Council shall there upon recommend in order of merit, three names to the Visitor who shall appoint any of the recommended nominees as Vice-Chancellor
- (8) The Vice-Chancellor shall hold office for a period of five years only unless he/s resigns or is removed from office in accordance with the provisions of the Law.

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SELECTION OF CERTAIN PRINCIPAL OFFICERS

- 10(1) When a vacancy occurs in the office of the Registrar, Bursar, Librarian, or a Director, 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

11. Recommendation 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 Purpose Committee.

APPOINTMENT OF ACADEMIC STAFF

- 12(1) Subject to the Law and Statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council.
- (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, shall consist of:
- (a) the Vice-Chancellor;
 - (b) two members appointed by the Council;
 - (c) four members appointed by the Senate including the Dean of the School; and
 - (d) if the post is tenable at a College, the Provost of the College.

APPOINTMENT OF ADMINISTRATIVE AND PROFESSIONAL STAFF

- 13(1) The administrative and professional staff of the University, other than those mentioned in article 10 and 11 of this statute shall be appointed by the Council or

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on it's behalf by the Vice-Chancellor in accordance with delegation of any powers made by the Council in that behalf

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