

CHAPTER 423

STUDENTS UNION ACTIVITIES
(CONTROL AND REGULATION) ACT

1989 No. 47

An Act to vest in University Authorities the power to regulate the activities of Students' Unions and Associations and to empower the Minister to suspend or expel any student.

[27th December, 1989]

Commence-
ment.Student
participation
in union
activities to be
voluntary.

1. (1) As from the commencement of this Act, student participation in all union activities shall be voluntary, and confined to individual campuses of universities or institutions of higher learning or any other similar institutions.

(2) Nothing in this Act or any other law shall prevent any Governing Council, Vice-Chancellor or any authority or person in charge of or in control of any university, higher institution or similar institution from making regulations for the purposes of controlling student union activities within aforesaid institutions.

Power of
Governing
Council, etc,
to proscribe
unlawful
societies.

2. (1) Where any society by whatever name called or known operating within the campus of a university or any institution of higher learning in Nigeria is pursuing activities which are—

- (a) not in the interest of national security, public safety, public order, public morality or public health; or
- (b) illegal, inimical, destructive or unlawful,

(2) the Governing Council, Vice-Chancellor or any authority or person in charge of or in control of the university or institution of higher learning may, after conducting investigations with respect thereto, proscribe any such society.

(3) It shall constitute an offence punishable under this Act, for any student to engage himself or organise other students to participate in the activities of any society proscribed pursuant to subsection (1) of this section.

Power of the
Minister to
suspend,
expel, etc.

3. (1) The Minister may, as from the commencement of this Act, whenever he is of the opinion that public interest or public safety so demands, suspend for any specified period of time, remove,

withdraw or expel any student (whether undergraduate, post-graduate or otherwise) from any university, institution of higher learning or similar institution.

(2) The powers conferred on the Minister by subsection (1) of this section may be exercised by—

(a) any person or authority authorised by the Minister to do so on his behalf; or

(b) the Governing Council, Vice-Chancellor or any authority or person in charge of or in control of that institution:

Provided that any student affected by paragraph (b) of this section may, within 28 days on receiving notification to that effect make representations to the President, Commander-in-Chief of the Armed Forces, whose decision on the matter shall be final and conclusive.

(3) The powers conferred by subsection (1) and (2) of this section shall be exercised without prejudice to any other legal proceedings (whether criminal or civil), as may be instituted or intended to be instituted against any student or any person aiding or abetting such student or person affected by this Act by the appropriate authorities or persons.

4. (1) If the President, Commander-in-Chief of the Armed Forces is satisfied that any student union or association (in any university or institution of higher learning in Nigeria) is pursuing certain activities which are—

(a) not in the interest of defence, public safety, public order, public morality or public health;

(b) illegal, inimical, destructive or unlawful,

he may by Order published in the *Federal Gazette*, proscribe such students union or association and the students union or association shall as from the date of the Order cease to exist.

(2) Whenever any students union is proscribed under subsection (1) of this section—

(a) the executive council of the proscribed union situate or operating within any university in Nigeria or in any other institution of higher learning shall be dissolved without any further assurance than this Act;

Power to proscribe student unions or associations from union activities.

(b) the officers of or any members of the executive council of the proscribed students union shall be removed from office without any further assurance than this Act.

(3) Without any further assurance other than this Act, the executive council or any member of the executive council of the proscribed union, having possession of any property or assets of the proscribed students union shall within 14 days from the commencement of the proscription, surrender to the Vice-Chancellor or any authority or person in charge of or in control of the university or institution of higher learning, as the case may be, such property or assets (including any subscription, fee or any other money howsoever described).

Offences and penalties.

5. (1) Any person who fails to comply with the provisions of section 1, 2 or 4 of this Act shall be guilty of an offence under this Act.

(2) Any person, whether or not a student of a university, institution of higher learning or similar institution, who aids, abets or participates in the violation of or non-compliance with any of the provisions of this Act shall be guilty of an offence under this Act.

Cap. 410.

(3) Any student or person who commits an offence under this Act shall be tried by any Tribunal established by the Special Tribunal (Miscellaneous Offences) Act.

(4) Any person convicted of an offence under this Act shall be liable on conviction to a fine not exceeding ₦50,000 or imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Application of this Act to other enactments.
Cap. 62.

6. The provisions of any enactment, law or instrument (including the Constitution of the Federal Republic of Nigeria, relating to any matter to which this Act applies or relating to the admission or disciplinary control of a student in any educational institution affected by this Act shall have effect subject to this Act.

Duration of the Act.

7. The Minister, with the approval of the President, Commander-in-Chief of the Armed Forces, may designate, from time to time by Order published in the *Federal Gazette*, any other educational institution to be affected by the provisions of this Act.

8. In this Act, unless the context otherwise requires—

Interpretation.

“competent authority” means the Governing Council, Vice-Chancellor or any authority or person in charge of or in control of any affected institution authorised in that behalf by the President, Commander-in-Chief of the Armed Forces;

“institution of higher learning” includes college of technology, teachers’ training college or any other educational institution as the Minister may, by Order published in the *Federal Gazette*, from time to time, determine;

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

9. This Act may be cited as the Students Union Activities (Control and Regulation) Act. Short title.