

*Extraordinary*



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# A BILL

## FOR

AN ACT TO AMEND SECTION 54(1) OF THE ARBITRATION AND CONCILIATION ACT, CAP. A18, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. O. K. Chinda*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- |   |   |
|---|---|
| <p>1           <b>1.</b> The Arbitration and Conciliation Act, Cap. A18, Laws of the</p> <p>2           Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is</p> <p>3           hereby amended as set out in this Bill.</p>                 | <p>Amendment of<br/>Arbitration and<br/>Conciliation Act,<br/>Cap. A18, LFN,<br/>2004</p> |
| <p>4           <b>2.</b> Section 54(1)(b) of the Principal Act is amended by deleting or</p> <p>5           expunging the words "which is contractual" which appears in the sentence,</p> <p>6           immediately after the words "legal relationship". That is:</p> | <p>Amendment of<br/>Section 54</p>  |
| <p>7           <b>3.</b> Section 54(1)(b): "that the Convention shall apply only to</p> <p>8           differences arising out of a legal relationship".</p>  |   |
| <p>9           <b>4.</b> This Bill may be cited as the Arbitration and Conciliation Act</p> <p>10          (Amendment) Bill, 2021.</p>  | <p>Citation</p>   |

### EXPLANATORY MEMORANDUM

This Bill seeks to amend S.54(1)(b) of the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004. This is against the backdrop that whereas the Principal Act restricts the scope of application of the New York Convention on Enforcement of Arbitral awards to only contractual legal relationship, the Convention on the Recognition and Enforcement of Foreign Arbitral Awards which was endorsed and ratified by Nigeria provides that arbitral awards apply to legal relationships, whether contractual or not, which are considered commercial.



# A BILL

## FOR

AN ACT TO AMEND SECTION 55 OF THE CONSTITUTION OF THE FEDERAL  
REPUBLIC OF NIGERIA, 1999, CAP C23, LAWS OF THE FEDERATION OF  
NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. O. K. Chinda*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria as follows:

- |    |   |  |
|----|---|--|
| 1  | 1. The Constitution of the Federal Republic of Nigeria, 1999, Cap             | Amendment of<br>1999 Constitution<br>Cap. C23 LFN,<br>2004 |
| 2  | C23, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as "the |  |
| 3  | Principal Act") is hereby amended as set out in this section.                 |  |
| 4  | 2. Section 55 of the Principal Act is hereby amended by making                | Amendment of<br>Section 55                                 |
| 5  | English the sole language for the conduct of business of the National         |  |
| 6  | Assembly deleting the words "and in Hausa, Igbo and Yoruba when               |  |
| 7  | adequate arrangements have been made therefor" appearing in the last line     |  |
| 8  | of the sentence to read thus:   |  |
| 9  | 3. Section 55: "The business of the National Assembly shall be                |  |
| 10 | conducted in English language".   |  |
| 11 | 4. This Bill may be cited as the Constitution of the Federal                  | Citation   |
| 12 | Republic of Nigeria, 1999 (Amendment) Bill, 2021.                             |  |

### EXPLANATORY MEMORANDUM

This Bill seeks to amend S.55 of the Constitution of the Federal Republic of Nigeria, Cap. C23, Laws of the Federation of Nigeria, 2004 by making English the sole language for the conduct of business of the National Assembly; the educational requirement for membership of the National Assembly under Section 65(2) (a) of the said Constitution being at least School certificate or its equivalent.



A BILL

FOR

AN ACT TO ALTER THE FIRST SCHEDULE OF THE ARBITRATION AND CONCILIATION ACT, CAP A18, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. O. K. Chinda*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

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- The Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is hereby altered as set out in this Bill.

The First Schedule of the Principal Act is altered by substituting the UNCITRAL Arbitration Rules referred to in S.53 of the Act (which is the UNCITRAL Arbitration Rules of 1976) with the UNCITRAL Arbitration Rules, 2010.

This Bill may be cited as the First Schedule to the Arbitration and Conciliation Act (Alteration) Bill, 2021.
- Alteration of Arbitration and Conciliation Act, Cap. A18, LFN, 2004

Amendment of First Schedule

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to alter the First Schedule to the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004. This is against the backdrop that whereas the UNCITRAL Arbitration Rules were actually revised in 2010, the UNCITRAL Arbitration Rules set out in the Schedule sequel to S.53 of the Act is the 1976 UNCITRAL Rules, rather than the 2010 UNCITRAL Arbitration Rules which protocol has been adopted by Nigeria and other nations.





# A BILL

## FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (AS AMENDED) BY REPEALING PARAGRAPH (A) OF SUBSECTION 5 OF SECTION 315 (SECTION 315 (5) (A)) AND FOR RELATED MATTERS

*Sponsored by Hon. Awaji-Inombek D. Abiante*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1           **1.** Section 315 (5) (a) of the Constitution of the Federal Republic  
2 of Nigeria, 1999 (As Amended) is hereby repealed, thus Section 315 (5) (a) Repeal of Section  
315 (5) (a) of the  
1999 Constitution  
3 (b) and (c) now read:  
4           (5) Nothing in this Constitution shall invalidate the following  
5 enactments, that is to say-  
6           (a) the Public Complaints Commission Act;  
7           (b) the National Security Agencies Act;  
8           (c) the Land Use Act.  
9 and the provisions of those enactments shall continue to apply and have full  
10 effect in accordance with their tenor and to the like extent as any other  
11 provisions forming part of this Constitution and shall not be altered or  
12 repealed except in accordance with the provisions of Section 9 (2) of this  
13 Constitution.  
14           **2.** This Bill may be cited as Constitution of the Federal Republic of Citation  
15 Nigeria (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal Section 315 (5) (a) of the Constitution of the Federal Republic of Nigeria, 1999 (As Amended) on the following grounds:

(i) Incessant killing of innocent Corps Members in some parts of the Country due to banditry, religion extremism and ethnic violence;

(ii) Incessant kidnapping of innocent Corps Members across the country;

(iii) Public and Private agencies/departments are no longer recruiting able and qualified Nigerian youths, thus relying heavily on the availability of Corps Members who are not being well remunerated, and get discarded with impunity at the end of their service year without any hope of being gainfully employed;

(iv) Due to insecurity across the Country, the National Youth Service Corps Management now give considerations to posting Corps Members to their geo-political zone, thus defeating one of the objectives of setting up the Service Corps i.e. developing common ties among the Nigerian Youths and promote national unity and integration;

(v) Many Corps Members are being used by their employers for jobs that have no bearing on the skills acquired at institutions of higher learning, thus making them unemployable after their service year;

(vi) The available camp facilities/officials are grossly inadequate to contain the number of Nigerian graduates participating in the scheme, thus creating unpleasant situations to the Corps Members during the orientation programme.

A BILL

FOR

AN ACT TO ALTER THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (WITH ALTERATIONS) AND FOR RELATED MATTERS

*Sponsored by Hon. Osai Nicholas Ossai*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

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1. The Constitution of the Federal Republic of Nigeria, 1999, Cap C23, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as the "Principal Act") is altered as set out in this Bill.

2. Sections 49 and 71 (b) of the Principal Act is altered by deleting the words "three hundred and sixty" in each place where it is stated.

3. This Bill may be cited as the Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021.
- Alteration of 1999 Constitution, Cap. C23, LFN, 2004

Alteration of Sections 49 and 71 (b)

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to remedy the problem where certain provision(s) of the Constitution tends to be a clog in the actualization of the intention of other section(s) of the Constitution, such as section 73(1) of the Constitution that gives INEC the power to review the division of states and of the Federation into Senatorial districts and Federal constituencies at interval of not less than ten years, but sections 49 and 71 (b) of same Constitution has already limited INEC's power by stating the fixed number of Federal Constituencies that Nigeria should have.



# A BILL

## FOR

AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO EMPOWER THE NATIONAL ASSEMBLY AND STATE HOUSES OF ASSEMBLY TO MAKE LAWS TO REDRESS SOCIAL, ECONOMIC, EDUCATIONAL OR OTHER IMBALANCES IN THE SOCIETY AND FOR RELATED MATTERS

*Sponsor: Hon. Lynda Chuba Ikpeazu Hon. Femi Gbajabiamila*

### *Co-sponsors:*

Hon. Nkeiruka Onyejeocha	Hon Ibrahim Khadija Bukar Abba
Hon Onuh Onyeche Blessing	Hon Beni Lar
Hon. Ogunlola Omowumi	Hon. Goodhead Boma
Hon. Princess Mariam Odinaka	Hon. Akande-Sadipe Tolulope
Hon. Onanuga Adewumi Oriyomi	Hon. Dukku Aishatu Jibril
Hon. Gimba Zainab	Hon. Taiwo Oluga

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria-

- |    |   |  |
|----|---|--|
| 1  | 1. The Constitution of the Federal Republic of Nigeria, 1999 (in                  | Alteration of the<br>Constitution of the<br>Federal Republic<br>of Nigeria |
| 2  | this bill referred to as "the Principal Act") is altered as set out in this Bill. |  |
| 3  | 2. Section 42 of the Principal Act is altered by inserting                        | Alteration of<br>Section 42 of the<br>Principal Act                        |
| 4  | immediately after subsection (3), new subsections "(4)" and "(5)"-                |  |
| 5  | "(4) Nothing in this section shall prevent the National Assembly or               |  |
| 6  | House of Assembly of a State from enacting laws for-                              |  |
| 7  | (a) implementing policies and programmes redressing social,                       |  |
| 8  | economic, educational or other imbalance in society; or                           |  |
| 9  | (b) making such provision as is required or authorised to be made                 |  |
| 10 | under this Constitution; or provide for any matter acceptable and                 |  |
| 11 | demonstrably justified in a free and democratic society.                          |  |

1 (5) No other provision of this Constitution shall be taken to be  
2 inconsistent with this section.  
Citation 3 **3.** This Bill is cited as the Constitution of the Federal Republic of  
4 Nigeria 1999 (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to empower the National Assembly and State Houses of Assembly to make laws to redress social, economic, educational or other imbalances in the society.

# A BILL

## FOR

AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL  
REPUBLIC OF NIGERIA, 1999 TO EXPAND THE DIVERSITY AND INCLUSION  
PROVISION IN THE CONSTITUTION AND FOR RELATED MATTERS

*Sponsor: Hon. Lynda Chuba Ikpeazu Hon. Femi Gbajabiamila*

*Co-sponsors:*

Hon. Nkeiruka Onyejeocha	Hon Ibrahim Khadija Bukar Abba
Hon Onuh Onyeche Blessing	Hon. Ogunlola Omowumi
Hon.Princess Mariam Odinaka	Hon. Akande-Sadipe Tolulope
Hon. Onanuga Adewumi Oriyomi	Hon Beni Lar
Hon. Goodhead Boma	Hon. Dukku Aishatu Jibril
Hon. Gimba Zainab	Hon. Taiwo Oluga

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria-

- |    |   |  |
|----|---|--|
| 1  | <b>1.</b> The Constitution of the Federal Republic of Nigeria, 1999 (in           | Alteration of the<br>Constitution of the<br>Federal Republic<br>of Nigeria |
| 2  | this bill referred to as "the Principal Act") is altered as set out in this Bill. |  |
| 3  | <b>2.</b> Section 14 of the Principal Act is altered as follows:                  | Alteration of<br>Section 14 of the<br>Principal Act                        |
| 4  | (a) In subsection (3), by substituting the existing subsection (3)                |  |
| 5  | with a new subsection "(3)"-  |  |
| 6  | "(3) The composition of the Government of the Federation or any                   |  |
| 7  | of its agencies and the conduct of its affairs shall be carried out in such a     |  |
| 8  | manner as to reflect gender diversity, the federal character of Nigeria and the   |  |
| 9  | need to promote national unity, and also to command national loyalty              |  |
| 10 | thereby ensuring that there shall be no predominance of persons from a few        |  |
| 11 | States or from a few ethnic, linguistic or religious groups or persons of one     |  |
| 12 | gender in that government or in any of its agencies."                             |  |
| 13 | (b) In subsection (4), by inserting immediately after the words                   |  |

1 "diversity of the people" in line 3, the words "based on religion, gender and  
2 disability"-

3 "(4) The composition of the Government of a State, a local  
4 government council, or any of its agencies and the conduct of the affairs of the  
5 Government or councilor such agencies shall be carried out in such manner as  
6 to recognise the diversity of the people based on religion, gender and disability  
7 within its area of authority and the need to promote a sense of belonging and  
8 loyalty among all the people of the Federation".

Citation

9 **3.** This Bill is cited as the Constitution of the Federal Republic of  
10 Nigeria 1999 (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter Section 14 to expand the diversity and inclusion provision in the Constitution.



A BILL  
FOR

AN ACT TO ALTER THE PROVISION OF THE CONSTITUTION OF THE FEDERAL  
REPUBLIC OF NIGERIA, 1999 TO EXPAND THE RIGHT TO DIGNITY TO  
INCLUDE FREEDOM FROM VIOLENCE AND FOR RELATED MATTERS

*Sponsor: Hon. Lynda Chuba Ikpeazu Hon. Femi Gbajabiamila*

*Co-Sponsors:*

Hon. Nkeiruka Onyejeocha	Hon Ibrahim Khadija Bukar Abba
Hon Onuh Onyeche Blessing	Hon Beni Lar
Hon. Ogunlola Omowumi	Hon. Goodhead Boma
Hon.Princess Mariam Odinaka	Hon. Dukku Aishatu libril
Hon. Akande-Sadipe Tolulope	Hon. Girnba Zainab
Hon. Onanuga Adewumi Oriyomi	Hon. Taiwo Oluga

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria-

- |    |   |  |
|----|---|--|
| 1  | 1. The Constitution of the Federal Republic of Nigeria, 1999 (in                  | Alteration of the<br>Constitution of the<br>Federal Republic<br>of Nigeria |
| 2  | this bill referred to as "the Principal Act") is altered as set out in this Bill. |  |
| 3  | 2. Section 34 of the Principal Act is altered by substituting existing            | Alteration of<br>Section 34 of the<br>Principal Act                        |
| 4  | section 34 with a new section "34"-   |  |
| 5  | "(1) Every individual is entitled to respect for the dignity of his               |  |
| 6  | person, and accordingly-  |  |
| 7  | (a) no person shall be subjected to torture or to in human or                     |  |
| 8  | degrading treatment;  |  |
| 9  | (b) no person shall be held in slavery or servitude;                              |  |
| 10 | (c) no person shall be required to perform forced or compulsory                   |  |
| 11 | labour; and   |  |
| 12 | (d) every person has a right to be free from physical, sexual or                  |  |
| 13 | psychological violence.   |  |
| 14 | (2) For the purposes of subsection (1) (c) of this section, "forced or            |  |

1 compulsory labour" does not include-

2 (a) any labour required in consequence of the sentence or order of a

3 court;

4 (b) any labour required of members of the armed forces of the

5 Federation or the Nigeria Police Force in pursuance of their duties as such;

6 (c) in the case of persons who have conscientious objections to

7 service in the armed forces of the Federation, any labour required instead of

8 such service;

9 (d) any labour required which is reasonably necessary in the event of

10 any emergency or calamity threatening the life or well-being of the

11 community; or

12 (e) any labour or service that forms part of-

13 (i) normal communal or other civic obligations for the well-being of

14 the community;

15 (ii) such compulsory national service in the armed forces of the

16 Federation as may be prescribed by an Act of the National Assembly; or

17 (iii) such compulsory national service which forms part of the

18 education and training of citizens of Nigeria as may be prescribed by an Act of

19 the National Assembly.

20 (3) For the purposes of subsection (1) (d) of this section, the State

21 shall adopt necessary measures to prevent, eliminate and punish physical,

22 sexual or psychological violence as well as any action or omission intended to

23 be degrading to the human condition, to cause death, pain, and physical, sexual

24 or psychological suffering, whether occurring in the public or private sphere.

25 **3.** This Bill is cited as the Constitution of the Federal Republic of

26 Nigeria 1999 (Alteration) Bill, 2021.

Citation

#### EXPLANATORY MEMORANDUM

This Bill seeks to expand the right to dignity of persons as provided for in Section 34 to include freedom from various forms of violence.

# A BILL

## FOR

AN ACT TO AMEND THE FISCAL RESPONSIBILITY ACT 2007 AND FOR  
RELATED MATTERS

*Sponsored by Hon. Lynda Chuba Ikpeazu*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria-

- |    |   |                    |
|----|---|--------------------|
| 1  | 1. The Fiscal Responsibility Act (in this bill referred to as "the          | Amendment of       |
| 2  | Principal Act") is amended as set out in this Bill.                         | the Fiscal         |
| 3  | 2. Section 21 of the Principal Act is amended by inserting                  | Responsibility     |
| 4  | immediately after subsection (3), new subsection "(4)" which shall provide  | Act 2007           |
| 5  | as follows-   | Insertion of a     |
| 6  | "(4) Notwithstanding any other provision of this Act, the Nigerian          | new Section 21 (4) |
| 7  | Maritime Administration and Safety Agency, Federal Airport Authority of     | in the Principal   |
| 8  | Nigeria and Nigerian Civil Aviation Authority, are hereby excluded from the | Act                |
| 9  | application of the provisions of the Act."                                  |                    |
| 10 | 3. This Bill is cited as the Fiscal Responsibility Act (Amendment)          | Citation           |
| 11 | Bill, 2021.   |                    |

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Fiscal Responsibility Act 2007 by introducing a new Section 21 (4) which excludes the Nigerian Maritime Administration and Safety Agency, Federal Airport Authority of Nigeria and Nigerian Civil Aviation Authority from the application of the provision of this Bill.



# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE  
OF NURSING MAIHA, ADAMAWA STATE AND FOR RELATED MATTERS

*Sponsored by Hon. Abubakar Magaji Ja'afar*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Republic of  
Nigeria as follow:

1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

2 1.-(1) There is hereby established for the Federal College to be Establishment  
3 known as the Federal College of Nursing Maiha, Adamawa State.

4 (2) The College shall:

5 (a) Have the status of a tertiary institution with right and privileges  
6 of such institution; and

7 (b) Be a body corporate with perpetual succession and a common  
8 seal with powers to sue and be sued in its corporate name.

9 2. The object of College shall be: Object

10 (a) To provide training and research in general Nursing and other  
11 specialties of Nursing leading to the award of professional Certificates.  
12 Diplomas, Degrees and other post Basic Certificates;

13 (b) To provide avenues for continuing education in nursing,  
14 midwifery and other specialties of Nursing; and

15 (c) To provide such services that is necessary and incidental to the  
16 object of the College.

17 3.-(1) The College shall be a teaching and examining body and Powers of the  
18 shall subject to the provisions of this Bill and the regulations of the College College  
19 have powers to:

20 (a) Provide rules and conditions under which persons may be

- 1 admitted as student for any particular course of study provided by the College;
- 2 (b) Provide courses of instruction in the academic and professional
- 3 programmes for student (c) Make provision for research and the dissemination
- 4 of knowledge;
- 5 (c) Establish Department and such other units of learning and
- 6 research as the purpose of the College may require;
- 7 (d) Create such offices and post as the purpose of the College may
- 8 require and to appoint persons to and remove person from such office or posts
- 9 and prescribe their conditions of service;
- 10 (e) Maintain libraries, laboratories, workshops lecture halls, hostels,
- 11 dining halls, sport field and other building or facilities of the College;
- 12 (f) Provide for residence, recreation and welfare of members of staff
- 13 and students of the College as may be deemed necessary;
- 14 (g) Demand and receive from students and other persons attending the
- 15 College for the purpose of instruction such fees as the College may from time to
- 16 time determine;
- 17 (h) Prescribe rules for the discipline of student of the College;
- 18 (i) Conduct examination and arrange for award of certificates and
- 19 distinctions to persons who pursue courses of studies approved by the College
- 20 and who satisfy such other requirement as may from time to time be Prescribe;
- 21 (j) Subject to specific limitations or conditions that may imposed by
- 22 extant Government regulations or circular, invest any fund apportioned to the
- 23 College by way of endowment, whether for general or special purpose and such
- 24 monies as may not immediately be required be require for current expenditure
- 25 in any investment or securities;
- 26 (k) Print or publish works or undertake service as may be deemed
- 27 consistent with the object of the College;
- 28 (l) Do such other acts and things necessary under this Acts for the
- 29 attainment of the object of the object of the College or incidental to the powers
- 30 of the College; and

1 (m) Carry out any special or general directive consistent with Government  
2 policy as the secretary of health may give in writing.

3 (2) Without prejudice to the generality of the provision of section 2  
4 of this Act and subsection (1) this section, the College may by special  
5 arrangement with the Nursing Council of Nigeria or other Examination  
6 bodies prepare it students for award of certificates or other distinctions.

7 (3) Subject to the provisions of this Bill and of any other statute.  
8 The Power conferred on the College by subsection (1) of this section shall be  
9 exercise on behalf of the College by the council and the committees  
10 established for the College or by such officers and other staff of the College  
11 as may be authorize in that behalf and may also be exercised through schools  
12 established under this Act.

13 4.-(1) The provost shall have custody of the common seal of the Seal of the College  
14 College and shall be responsible for affixing same to documents.

15 (2) The common seal of the College shall not be used save upon the  
16 direction of the council and shall be authenticated by the signature of the  
17 Provost.

18 PART II - GOVERNMENT COUNCIL OF THE COLLEGE

19 5.-(1) There shall be establish for the College, a Government  
20 Council to be known as the Governing council of the Federal College of Establishment of  
21 Nursing Maiha, Adamawa State. the Governing  
Council of the  
College

22 (2) The council shall consist of:

23 (a) A chairman who shall be appointed on part time basis by the  
24 Commissioner on the recommendation of the secretary of health;

25 (b) A representation of the secretary of health;

26 (c) The provost of the College;

27 (d) A representation of the Adamawa State chapter of National  
28 association of Nigeria Nurses;

29 (e) Two member to represent the interest of the public to be

	1	appointed by the minister on the recommendation of the secretary of health;
	2	(f) A representative of Adamawa State treasury;
	3	(g) A representative of Adamawa State Legal Service Secretariat;
	4	(h) A representative of Adamawa State Education Secretariat;
	5	(i) The director, finance and Administration in the Secretariat;
	6	(j) The director of Nursing in Adamawa State Hospitals Management
	7	Board; and
	8	(k) The director, Nursing service of the secretariat who shall also
	9	Serve as the secretary.
Tenure of Members	10	<b>6.-(1)</b> Members of the council other than ex-officio members shall
	11	hold office for a period of four years from the date of their appointment and
	12	shall be eligible for reappointment for one further term of four years and no
	13	more.
	14	(2) Any member of the council other than an ex officio member may
	15	by notice to the council resign his appointment.
	16	(3) Any vacancy occurring in the membership of the council shall be
	17	filled by the appointed of a successor who shall represent the same interest as
	18	his predecessor for the remainder of the term of the predecessor.
Functions of the Council	19	<b>7.-(1)</b> Subject to the provisions of this Act, the council shall:
	20	(a) Be the governing authority of the College;
	21	(b) Be charged with general control and superintendence of the
	22	policies, finances and properties of the College;
	23	(c) Make regulations for the day to day management of the College;
	24	and
	25	(d) Do any other thing necessary or incidental to attainment of objects
	26	of the College.
	27	FUNCTIONS OF THE ACADEMIC COMMITTEE
	28	(2) Without prejudice to the provisions of subsection (1) of this
	29	section, the council shall:
	30	(a) Ensure that the courses and instructions provided by the College



1 conform to the required standard laid down from time to time by the Nursing  
2 council of Nigeria;

3 (b) Regulate the teaching of course offered by the College, and also  
4 regulate the conduct of examination with respect to the College;

5 (c) Approve contracts for procurement of equipment, furniture and  
6 other properties required for the purpose of the College;

7 (d) Approve contracts for maintenance of the premises and other  
8 properties of the College;

9 (e) Formulate policies and initiate programmes in all field of learning  
10 conducted by the College;

11 (f) Assess from time to time the course offered by the College; and

12 (g) Perform such other function as may be necessary.

13 (3) The council may delegate any of its functions, other than the  
14 Power to make regulates, to the chairman or any other person, Board or  
15 Committee it deems it fit in that behalf, but no decision of such person or  
16 Committee shall take effect unless ratified by council.

17 8. The Director, nursing service of the secretariat shall be the  
18 Secretary to the council, and for any particular meeting that he may be  
19 absent, he shall send a representative to act in that behalf.

Secretary to the  
Council

20 9.-(1) The Secretary of Health may give to the council directions as  
21 to the discharge of its function in relation to matters appearing to the  
22 Secretary of Health to affect public interest and the council shall give effect  
23 to such directive.

24 (2) The council shall afford the secretary of health facilities for  
25 obtaining information with respect to the property of the College and the  
26 functions of the council and he shall be furnished with returns, accounts and  
27 facilities for verification of the information in such manner and at such times  
28 as he may require.

29 PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

30 10.-(1) There shall be within the College a school of Nursing and

1 such other schools as the secretariat may with the approval of the Nursing  
2 Council of Nigeria establish.

3 (2) Each school shall provide instruction for courses, conduct  
4 research and carry out such functions as may be prescribed by the council with  
5 the approval of the secretary of Health.

6 (3) The constitution of and other matters relating to each schools may  
7 be prescribed by the council with the approval of the secretary of health

8 **11.** In furtherance of the provisions of section 3 (1) (c) of this Act, the  
9 council shall with the approval of the secretary of Health establish for each  
10 school such department as the Nursing Council of Nigeria May from time to  
11 time prescribe.

12 **12.** Subject to the provision to this Act, the council may with the  
13 approval of the secretary of Health establish units for special purposes within  
14 the College; and the name, constitution and functions of any such units may be  
15 prescribe by director of the council.

#### 16 PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

Provost of the  
College

17 **13.** There shall be for the College a provost and other principal  
18 officers, the designations, qualifications, functions, appointments and removal  
19 of whom shall be as spelt out in section 15 to 22 of this Act.

Principal Officer  
of the College

20 **14.-(1)** The Principal Officers of the College shall include:

21 (b) The Deans of the schools in the College;

22 (c) The Deputy Deans (Academics and Administration) of the schools  
23 in the College;

24 (d) The Registrar;

25 (e) The College Librarian; and

26 (f) The Bursar.

27 (2) The principal officers of the College other than Deans and Deputy  
28 Deans of schools in the College shall be appointed by the council subject the  
29 approval of the minister through the secretary of Health.

1 (3) The Deans and the Deputy Deans of schools in shall be  
2 appointed by the council.

3 **15.**-(1) The Provost shall be appointed from amongst the academic  
4 staff of the College and shall be the Chief Executive and Administrator of the  
5 College and also be responsible to the council for maintaining and  
6 promoting efficiency and discipline in the College.

Appointment of  
Provost

7 (2) The Provost shall hold a degree in Nursing and shall be a  
8 registered Education in Nursing, or other specialty areas of Nursing with not  
9 less than fifteen years of teaching experience.

10 **16.**-(1) The Deans of schools in the College shall be responsible to  
11 the provost for the administration of the schools.

Deans

12 (2) The Deans of schools in the College shall hold degree in  
13 Nursing and shall be registered Educators in the Nursing specialty related to  
14 their respective schools and with not less than ten years of teaching  
15 experience.

16 **17.**-(1) The Deputy Deans of schools in the College shall be the  
17 assistants to the Deans of their respective schools and shall perform such  
18 duties as may be assign to them by the Deans.

Deputy Deans

19 (2) The Deputy Deans of schools in the College shall hold degree in  
20 Nursing and shall be Registered Educator in the Nursing specialty related to  
21 their respective schools with less than seven years teaching experience.

22 **18.**-(1) The Registrar of the College shall be the head of  
23 administration of the College shall be responsible to the provost.

The Registrar of  
the College

24 (2) The Registrar shall be an experienced graduate of humanities  
25 with not less than fifteen years' experience in public Administration

26 (3) The person holding the office of the Registrar of the College  
27 shall by virtue of that office be the secretary to the Academic Board and the  
28 finance and General purpose Committee.

29 **19.**-(1) The Bursar shall be the Chief Financial officer of the  
30 College and shall be responsible to the provost for the day to day

The Bursar

	1	administration of the financial affairs of the College.
	2	(2) The Bursar shall be a qualified Accountant with not less than Ten
	3	years post qualification experience.
The Librarian	4	<b>20.</b> -(1) the Librarian shall be responsible to the provost for the Co-
	5	ordination of Library services in College.
	6	(2) The Librarian shall have a degree in library sciences with not less
	7	than ten years post qualification experience as a Librarian.
	8	<b>21.</b> The Council may appoint such other persons to be staff of the
	9	College as it may deems fit on .such terms and conditions as may specified in
	10	their instructions of appointment.
Removal from Office	11	<b>22.</b> -(1) The Principal officers and other senior staff of the College
	12	may be removed from office by the Commissioner for misconduct,
	13	incompetence or any other justifiable reason on the recommendation of the
	14	council.
	15	(2) The council shall have power to remove any junior staff of the
	16	College for justifiable reasons.
	17	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose	18	<b>23.</b> There shall be a committee of the council to known as the Finance
	19	and general purpose committee.
Composition of the Committee	20	<b>24.</b> -(1) The finance and general purpose committee shall consist of:
	21	(a) The chairman of the Governing council who shall be the chairman;
	22	(b) The respective of the secretary of health;
	23	(c) The provost of the College;
	24	(d) The director of finance and administration in the secretariat;
	25	(e) The director of nursing services in the secretariat;
	26	(f) One member of the Academic Committee to be appointed by the
	27	Council; and
	28	(2) The Registrar shall be secretary of the committee.
Functions of the Committee	29	<b>25.</b> The finance and general purpose committee shall:

1 (a) Exercise control over property, revenue and expenditure of the  
2 College;

3 (b) Award contracts for the execution of project of the College; and

4 (c) Perform such other functions as the council may delegate to it.

5 **26.**-(1) Any body of persons established by this Act shall, without  
6 Prejudice to the generality of the powers of that body, have power to  
7 Constitute committees, which need not consist exclusively of members of  
8 that body, and to authorize a committee established by it:

9 (a) To exercise, on its behalf, such of its function as it may  
10 determine; and

11 (b) To co-opt members, and may direct whether or not co-opted  
12 members if any, shall be entitle to vote in that committee

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

18 (3) The quorum and procedure of a committee establish or meeting  
19 held in pursuance of this section shall be such as may be determined by the  
20 body or bodies which have decide to establish the committee or hold the  
21 meeting.

22 **PART VI - ACADEMIC BOARD**

23 **27.** There shall be for each school of the College an Academic  
24 Board which shall be responsible for the academic work of the school.

25 **28.** The Academic Board of each school of the College shall be  
26 composed of:

Composition of  
the Academic  
Board

27 (a) The provost of the College, as chairman;

28 (b) The Dean of the school, as Deputy Chairman;

29 (c) The Deputy of Dean of the school;

30 (d) All Heads of Department of the schools;

1 (e) One Academic staff not below the rank of senior Lecturer to be  
2 selected from each of the Department of the school;

3 (f) A representative of the Director, Nursing Service in the Secretariat;

4 (g) The school Librarian; and

5 (i) The Registrar who shall be the secretary of the Board.

6 **29.** Subject to the overall control and direction of the council, the  
7 Academic Board of each school of the College shall perform the following  
8 Function:

9 (1) Regulating and organizing the process of admission, conduct of  
10 Examinations, award of Certificates and all formalities relating to the  
11 Registration and licensing of graduates.

12 (2) Making recommendation to the council on appointment of  
13 Academic staff of the school and on the organization of department, Libraries  
14 and other units of learn and research in the school.

15 (3) Making guideline for the purpose of exercising any of the  
16 Functions conferred on it under the provisions of this section.

17 (4) Preparing curriculum for the school in line with guidelines from  
18 the Nursing and Midwifery council of Nigeria and or other regulatory bodies.

19 (5) Performing such other functions that may be assigned to it by the  
20 Council.

21 **PART VII - SUPPLEMENTARY PROVISIONS**

22 **30.** The supplementary provision contained in the schedule shall have  
23 effect in relation to the proceeding of the various bodies appointed under the  
24 provision of this Act.

25 **31.** In the absence of the council and until it is constituted for the  
26 College, the functions and powers of the council under this Act may be  
27 Exercise by the secretary of health in consultation with the director of Nursing  
28 Services in the Secretariat.

29 **PART VIII - PROPERTY AND FINANCE**

30 **32.** The Government of Adamawa State may, by order transfer any

1 property whether movable or immovable to the College and from the date of  
2 such order, any property so transferred shall vest in the College and shall be  
3 used for the Purpose of the College.

4 **33.** The council may, subject to the provision of this Act:

Property of the  
College

5 (a) Acquire and hold such movable or immovable property as may  
6 be necessary or expedient for carrying into effect the provisions of this Act;

7 (b) Invest the funds of the College in such manner and to such  
8 extent as it may deem necessary or expedient; and

9 (c) Enter into contractual agreement on behalf of the College;

10 **34.**-(1) the council shall have power to approve expenditure of over  
11 N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the  
12 procurement of the goods, works and services and shall refer procurements  
13 exceeding the amount to the secretary of Health.

Expenditure of  
the College

14 (2) The provost shall approve procurement of works, goods and  
15 Services not exceeding N100,000.00

16 (3) The threshold mentioned in this section may be adjusted, in the  
17 case of:

18 (a) Subsection (1), by the secretary of Health; and

19 (b) Subsection (2), by the council.

20 **35.** The revenue of the College shall include:

Revenue of the  
College

21 (a) Revenue from time to time accruing to the College by way of  
22 Government grant, subvention or endowment or other forms of grant-in aid;

23 (b) Fees charges by and payable in respect of student;

24 (c) Any other amounts charges or dues recoverable by the College;

25 (d) Receipts for publications or services;

26 (e) Interest on investments;

27 (f) Donations and Legacies.

28 **36.** Before the end of each financial year or at such other time as  
29 may be required by the council the director, finance and Administration or  
30 the provost shall present for council estimate of revenue and expenditure for

Annual Estimate

	1	the ensuring financial year and the accepted estimates shall be presented to the
	2	secretary Health and Human service secretary who shall cause same to be
	3	placed before the Commissioner for approval.
Statement of Account	4	<b>37.-(1)</b> the College shall prepare in respect of each financial year a
	5	Statement of account in such form as may be approved by the secretary of
	6	Health and the said annual statement of account shall be a fair and accurate
	7	statement of the financial position of the College for the financial year to which
	8	it relates.
Account Audit	9	(2) The said annual statement of accounts shall be audited by the
	10	auditor-General of the State or by such competent auditor appointed by him.
	11	(3) The said audited statement of accounts, after verification by the
	12	Council shall together with the auditor's report is forwarded to the secretary of
	13	Health who shall cause the same to be placed before the minister.
Interpretation	14	<b>38.</b> In this Act unless the context otherwise requires:
	15	"Academic Board" means the Academic Board established under this Act;
	16	"Chairman" means the Chairman of the Governing council of the College or
	17	where the context requires Chairman of the respective committees established
	18	under this Act;
	19	"College" means the Federal College of Nursing Maiha, Adamawa State;
	20	"Council" means the governing council established under section 4(1) of this
	21	Act for the College;
	22	"Executive Committee" means the Adamawa State Executive Committee;
	23	"Commissioner" means the Commissioner of the Adamawa State;
	24	"Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade levels
	25	01-06;
	26	"Members" means members of the council and includes the chairman of the
	27	Council:
	28	"Provost" means the provost of the College;
	29	"Regulations" means any regulation formulated for the College by the council;
	30	"Secretariat" means Health and human Services Secretariat of Adamawa State;



- 1 "Secretary" means the Secretary to the council of the College and other-wise  
2 means the Secretary of any Committees established under this Act;  
3 "Secretary of Health" means the Secretary of Health and Human Services or  
4 such other official as may be from time to time designation as head of the  
5 body responsible for Health service under Adamawa State;  
6 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade  
7 Levels 07-17.  
8 **39.** This Bill may be cited as the Federal College of Nursing Maiha, Citation  
9 Adamawa State Bill, 2021.

## EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing Maiha, Adamawa State, and to provide training and research in general Nursing, and other specialties of Nursing.



# A BILL

## FOR

AN ACT TO AMEND THE PENSION REFORM ACT OF 2014 AND ESTABLISH A PENSION TRIBUNAL FOR THE RESOLUTION OF DISPUTES ARISING FROM EMPLOYER EMPLOYEE RELATIONS ON REMITTANCES OF PENSIONS OR RESOLUTION OF DISPUTES BETWEEN THE PENSION MANAGERS AND PENSIONERS' RELATIONS TO PENSION MANAGEMENT AND FOR RELATED MATTERS

*Sponsored by Hon. Bamidele Salami*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

- |    |  |                    |
|----|--|--------------------|
| 1  | 1. The Pension Reform Act of 2014 (in this Bill referred to as "the            | Amendment of       |
| 2  | Principal Act") is amended as set out in this Bill.                            | the Pension Reform |
| 3  | 2. The Principal Act is amended by inserting, after the existing               | Act of 2014        |
| 4  | Section "17", a new Sections "17A and 17B"-                                    | Insertion of       |
| 5  | "17A Where a party is dissatisfied with the decision of the                    | Section 17A and    |
| 6  | Commission or the Arbitration under Sections 106 or 107 of this Act or both,   | 17B                |
| 7  | may apply to the pension tribunal established under this Bill."                | Appeal from the    |
| 8  | "17B (1)There is established, for the pension matters, a Tribunal              | decision of the    |
| 9  | (in this Bill referred to as 'the Tribunal) which shall be responsible for the | Commission or      |
| 10 | resolution of disputes-  | Arbitration to the |
| 11 | (a) arising from employer employee relations on remittances of                 | tribunal           |
| 12 | pensions;  | Establishment      |
| 13 | (b) between the pension managers and pensioners' relations on                  | and jurisdiction   |
| 14 | pension management; and (c) on other matters related to paragraphs (a) and     | of the Pension     |
| 15 | (b) of this Clause.  | Tribunal           |
| 16 | (2) The Tribunal shall consist of not less than five members and it            |                    |
| 17 | shall be constituted by a Chairperson and two other members.                   |                    |

1           (3) The Chairman shall be a legal practitioner for a period of not less  
2   than 10 years while other members shall be legal practitioners and other  
3   professions with vast experience on pension matters.

4           (4) Appeal from the decision of the Tribunal shall be filed at the High  
5   Court with competent jurisdiction."

Citation

6           **3.** This Bill may be cited as Pension Reform Act (Amendment) Bill,  
7   2021.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Pension Reform Act of 2014 and establish a Pension Tribunal for the resolution of disputes arising from employer employee relations on remittances of pensions or resolution of disputes between the pension managers and pensioners' relations to pension management.

A BILL

FOR

AN ACT TO ALTER ITEM 39, PART 1 OF THE SECOND SCHEDULE OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED): TO SUBSTITUTE AND MOVE THE ITEM FROM THE EXCLUSIVE LEGISLATIVE LIST TO THE CONCURRENT LEGISLATIVE LIST AND FOR RELATED MATTERS

*Sponsored by:* Hon. Hassan Usman Sokodabo

Hon. John Dyegh

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

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15
1. The Constitution of the Federal Republic of Nigeria, 1999 (In this Bill referred to as the "Principal Act") is hereby altered as set out-

2. Item 39, Part 1 of the Second Schedule of the Principal Act is Altered by substituting the item and moving it from the Exclusive Legislative List to the Concurrent Legislative List. Thus; Item 39, Part 1 of the Second Schedule of the Constitution to be moved to the Concurrent Legislative List now read:

"States Government shall manage their resources; mines and minerals, including oil fields, oil mining, values added tax (VAT), geological surveys as well as natural gas. 50% of the total revenue accruable from the minerals shall be retained by the state where the minerals are derived, 30% shall be credited to the Distributable Pool Account, while the remaining 20% shall be credited to the Federation account".

3. This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2021.
- Alteration of the Constitution of the Federal Republic of Nigeria, 1999

Alteration of Item 39, Part 1 of the Second Schedule

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to alter Item 39, Part 1 of the Second Schedule of the Constitution of the Federal Republic of Nigeria by substituting the item and move it from the Exclusive Legislative List to the Concurrent Legislative List to enable States mine their resources and pay revenue to the centre.

# A BILL

## FOR

AN ACT TO ALTER RELEVANT SECTIONS AND SCHEDULES OF THE  
CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND FOR  
RELATED MATTERS

*Sponsored by:* Hon. Igariwey Iduma Enwo

Hon. Amos Magaji Gwamna

Hon. Sergius Ogun

Hon. Chidoka Obinna

Hon. Omowumi Ogunlola

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria as follows-

- |   |   |  |
|---|---|--|
| 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br>10<br>11<br>12<br>13<br>14<br>15<br>16 | <p><b>1.</b> The Constitution of the Federal Republic of Nigeria, 1999 (In this Bill referred to as the "Principal Act") is hereby altered as Set-Out-</p> <p><b>2.</b> Item 45, Part 1 of the Second Schedule of the Principal Act is Altered by removing an aspect of the item from the Exclusive Legislative List to the Concurrent Legislative List. Thus; Item 45, Part 1 of the Second Schedule of the Constitution now read:</p> <p>"Other government security services established by law, apart from the Police".</p> <p><b>3.</b> Part III - SUPPLEMENTAL (B) under Arrangement of Sections of the Constitution is altered by deleting the Heading 'Nigeria Police Force' and insert 'Federal and State Police'.</p> <p><b>4.</b> Heading of Section 214 under Arrangement of Sections of the Constitution is altered by deleting the words 'Establishment of Nigeria Police Force' and insert 'Establishment of Federal and State Police'.</p> <p><b>5.</b> Heading of Section 215 under the Arrangement of Sections of the Constitution is altered by deleting the words 'Appointment of Inspector-</p> | <p>Alteration of the Constitution of the Federal Republic of Nigeria, 1999</p> <p>Alteration of Item 45, Part 1 of the Second Schedule</p> |
|---|---|--|

1 General and control of Nigeria Police Force', and insert 'Appointment of  
2 Inspector-General of Police and State Commissioner of Police, and control of  
3 Federal Police and State Police respectively'.

4 **6.** Heading of Section 216 under the Arrangement of Sections of the  
5 Constitution is altered by deleting the words 'Delegation of powers to the  
6 Inspector-General of Police' and insert 'Delegation of powers to the Inspector-  
7 General of Police and the State Commissioner of Police'.

8 **7.** Section 214 (1) of the Constitution is altered by deleting the  
9 existing sub-section and insert 'There shall be Federal and State Police in  
10 Nigeria, and shall be known as the Federal Police and State Police respectively,  
11 and subject to the provisions of this section no other police shall be established  
12 for the Federation or any part thereof'.

13 **8.** Section 214 (2) (a) of the Constitution is altered by deleting the  
14 existing sub-section and insert 'the Federal Police and the State Police shall be  
15 organized and administered in accordance with such provisions as may be  
16 prescribed by an Act of the National Assembly and an Act of the State  
17 Assembly respectively'.

18 **9.** Section 214 (2) (b) of the Constitution is altered by deleting the  
19 existing sub-section and insert 'the members of the Federal Police and the State  
20 Police shall have such powers and duties as may be conferred upon them by the  
21 law'.

22 **10.** Section 214 (2) (c) of the Constitution is altered by deleting the  
23 existing sub-section and insert 'the National and State Assemblies may make  
24 provisions for branches of the Federal and State Police forming part of the  
25 armed forces of the Federation or for the protection of harbours, waterways,  
26 railways and air fields'.

27 **11.** Section 215 (1) (a) of the Constitution is altered by deleting the  
28 existing sub-section and insert 'an Inspector-General of Police and a State  
29 Commissioner of Police who, subject to section 216 (2) of this Constitution  
30 shall be appointed by the President and Governor respectively on the advice of



1        the Federal and State Police Councils from among serving members of the  
2        Federal and State Police'.

3                **12.** Section 215 (1) (b) of the Constitution is deleted and removed  
4        from the Constitution.

5                **13.** Section 215 (2) of the Constitution is altered by deleting the  
6        existing sub-section and insert 'The Federal Police shall be under the  
7        command of the Inspector-General of Police, and the State Police shall be  
8        under the command of the State Commissioner of Police'.

9                **14.** Paragraph 2 of Section 215 (4) of the Constitution is deleted  
10       and removed from the Constitution.

11               **15.** Section 216 (1) of the Constitution is altered by deleting the  
12       existing sub-section and insert 'Subject to the provisions of this  
13       Constitution, the Federal and State Police Councils may, with the approval  
14       of the President and Governor and subject to conditions as it may think fit,  
15       delegate any powers conferred upon it by this Constitution to any of its  
16       members or to the Inspector-General of Police or the State Commissioner of  
17       Police or any other member of the Federal or State Police'.

18               **16.** Section 216 (2) of the Constitution is altered by deleting the  
19       existing sub-section and insert 'Before making any appointment to the office  
20       of the Inspector-General of Police and the State Commissioner of Police or  
21       removing them from office, the President or the Governor shall consult the  
22       Federal Police Council and the State Police Council respectively'.

23               **17.** Heading of 'L', Part 1 of the Third Schedule of the Constitution  
24       is altered by deleting the 'Nigeria Police Council' and insert 'Federal Police  
25       Council'.

26               **18.** Line 1 of Item 27, Part 1 of the Third Schedule of the  
27       Constitution is altered by deleting the words 'Nigeria Police Council' and  
28       insert 'Federal Police Council'.

29               **19.** Line 1 of item 28, Part 1 of the Third Schedule of the

1 Constitution is altered by deleting the words 'Nigeria Police Council' and insert  
2 'Federal Police Council'.  
Citation 3 **20.** This Bill may be cited as the Constitution of the Federal Republic  
4 of Nigeria (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter relevant Sections and Schedules of the Constitution of the Federal Republic of Nigeria with a view to removing the establishment of the Nigeria Police from the Exclusive Legislative List to the Concurrent Legislative List.

# A BILL

## FOR

AN ACT TO ALTER ITEM 34, PART 1 OF THE SECOND SCHEDULE OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED): TO REMOVE SOME ASPECTS OF THE ITEM FROM THE EXCLUSIVE LEGISLATIVE LIST TO THE CONCURRENT LEGISLATIVE LIST AND FOR RELATED MATTERS

*Sponsored by:* Hon. Femi Fakeye

Hon. Awaji-Inombek D. Abiante

Hon. Dan Asuquo

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

- |    |   |   |
|----|---|---|
| 1  | 1. The Constitution of the Federal Republic of Nigeria, 1999 (In              | Alteration of the Constitution of the Federal Republic of Nigeria, 1999 |
| 2  | this Bill referred to as the "Principal Act") is hereby altered as set out-   |   |
| 3  | 2. Item 34, Part 1 of the Second Schedule of the Principal Act is             | Alteration of Item 34, Part 1 of the Second Schedule                    |
| 4  | Altered by removing some aspects of the item from the Exclusive               |   |
| 5  | Legislative List to the Concurrent Legislative list. Thus; Item 34, Part 1 of |   |
| 6  | the Second Schedule of the Constitution now read:                             |   |
| 7  | "Prescribing a national minimum wage which will serve as                      |   |
| 8  | benchmark for all employer of Labour in the Country".                         |   |
| 9  | 3. This Bill may be cited as the Constitution of the Federal                  | Citation  |
| 10 | Republic of Nigeria (Alteration) Bill, 2021.                                  |   |

### EXPLANATORY MEMORANDUM

This Bill seeks to alter Item 34, Part 1 of the Second Schedule of the Constitution of the Federal Republic of Nigeria by removing some aspects of the item from the Exclusive Legislative List to the Concurrent Legislative List.



# A BILL

## FOR

AN ACT TO ALTER ITEM 40, PART 1 OF THE SECOND SCHEDULE OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED): TO SUBSTITUTE AND MOVE THE ITEM FROM THE EXCLUSIVE LEGISLATIVE LIST TO THE CONCURRENT LEGISLATIVE LIST AND FOR RELATED MATTERS

*Sponsored by:* Hon. Solomon Maren

Hon. Toby Okechukwu

Hon. Victor Akinjo

Hon. Luke A. Aniofiok

Hon. Bem Benjamin Mzondu

Hon. Dachung Bagos

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

- |   |  |
|---|--|
| <p>1           <b>1.</b> The Constitution of the Federal Republic of Nigeria, 1999 (In</p> <p>2           this Bill referred to as the "Principal Act") is hereby altered as set out-</p>   | <p>Alteration of the Constitution of the Federal Republic of Nigeria, 1999</p> |
| <p>3           <b>2.</b> Item 40, Part 1 of the Second Schedule of the Principal Act is</p> <p>4           Altered by substituting the item and moving it from the Exclusive</p> <p>5           Legislative List to the Concurrent Legislative List. Thus; Item 40, Part 1 of</p> <p>6           the Second Schedule of the Constitution to be moved to the Concurrent</p> <p>7           Legislative List now read:</p> <p>8           "National parks being such areas in a state shall be controlled and</p> <p>9           handled by the state in which such areas are domiciled, and the state shall</p> <p>10          pay into consolidated revenue account of the Federation 20% of total</p> <p>11          revenue accruable from such areas".</p> | <p>Alteration of Item 40, Part 1 of the Second Schedule</p>                    |
| <p>12          <b>3.</b> This Bill may be cited as the Constitution of the Federal</p> <p>13          Republic of Nigeria (Alteration) Bill, 2021.</p>  | <p>Citation</p>  |

EXPLANATORY MEMORANDUM

This Bill seeks to Alter Item 40, Part 1 of the Second Schedule of the Constitution of the Federal Republic of Nigeria by substituting the item and move it from the Exclusive Legislative List to the Concurrent Legislative List.

# A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF DEVELOPMENT AND  
SOCIAL STUDIES TO PROVIDE FOR THE CONTROL OF ITS MEMBERSHIP AND  
PROMOTE THE PRACTICE OF DEVELOPMENT AND SOCIAL STUDIES IN  
NIGERIA; AND FOR RELATED MATTERS

*Sponsored by Hon. Solomon Bulus Maren*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria:

1                   PART I - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF  
2                   DEVELOPMENT AND SOCIAL STUDIES

3	<b>1.-(1)</b> There is established the Chartered Institute of Development	Establishment of the Chartered Institute of Development and Social Studies
4	and Social Studies (in this Act referred to as "the Institute").	
5	<b>(2)</b> The Institute:	

5 (2) The Institute:

6 (a) shall be a body corporate with perpetual succession;

(b) shall have a common seal which shall be kept in such custody as the Council may authorise; and

9 (c) may sue or be sued in its corporate name.

10                   **2.-(1)** Subject to the provisions of this Act, persons admitted into                   Membership of  
11   the Institute shall possess knowledge, experience, and qualifications in                   the Institute  
12   development and social studies and other related disciplines determined by  
13   the Council, and may be enrolled in the category of:

14 (a) Fellows;

15 (b) Members;

16 (c) Associate Members;

17 (d) Graduate Members; and

18 (e) Students.

19 (2) Without prejudice to the provisions of this Act, persons

1 registered as members of the Institute are entitled to be enrolled:

2 (a) as Fellows, if they satisfy the Council that for the period of at least  
3 five years immediately preceding the date of their application in that behalf  
4 they:

5 (i) are fit and proper persons,

6 (ii) are holders of approved academic qualifications,

7 (iii) have satisfied the Council in their dissertations, and

8 (iv) have been continuously active in the practice of development and  
9 social studies in either public or private sector of the economy and as members  
10 of the Institute;

11 (b) as members, if, for the period of at least three years immediately  
12 preceding the date of their application in that behalf, they have been enrolled as  
13 graduate members and are otherwise fit and proper persons, and as may be  
14 approved in the discretion of the Council;

15 (b) as Associate members, if, for the period of at least two years  
16 immediately preceding the date of their application in that behalf, they have  
17 been enrolled as graduate members and are otherwise fit and proper persons,  
18 and as may be approved in the discretion of the  
19 Council;

20 (c) as Graduate members, if they satisfy the Council that they have  
21 fulfilled all requirements prescribed (passed the mandatory examinations  
22 conducted) by the Institute, hold equivalent qualifications from recognised  
23 institutions of higher education and are found to be fit and proper persons by  
24 the Council.

25 (3) The following are other precedence and designated titular  
26 abbreviations for:

27 (a) a Fellow of the Chartered Institute of Development and Social  
28 Studies who shall have the right to use the designatory letters m.dss  
29 immediately after his name;

30 (b) a member of the Chartered Institute of Development and Social



1       Studies who shall have the right to use the designatory letters m.dss  
2       immediately after his name;

3               (c) an Associate member of the Chartered Institute of Development  
4       and Social Studies who shall have the right to use the designatory letters  
5       A.dss immediately after his name; and

6               (d) a Licentiate member of the Chartered Institute of Development  
7       and Social Studies who shall have the right to use the designatory letters  
8       L.dss immediately after his name.

9               (4) Graduates and Students registered for training shall become  
10      professional practising members only after satisfying specified  
11      qualification requirements for membership in any of the categories as may  
12      be prescribed by the Council or bye-laws of the Institute.

13              (5) In this section, "licentiate member" means any member granted  
14      a licence by a recognised institution of higher education to practise this  
15      profession, and "licensesure" shall be construed accordingly.

16              **3. The Institute shall:**

Functions of the  
Institute

17              (a) organise and provide professional training In the areas of social  
18      studies and development;

19              (b) regulate and control the practice of the profession in all  
20      ramifications.

21              (c) build capacity for leadership and. a desire to make a difference  
22      in organisations and the nation at large;

23              (d) promote the art and philosophy of developing nation;

24              (e) educate and promote public etiquette, conduct and approach to  
25      public issues;

26              (f) build a bridge between public, private and organised sectors of  
27      the economy;

28              (g) seek internal and external relationship between States and other  
29      arms of government;

30              (h) integrate culture with modernisation;

Establishment  
of the Institute  
of Board of  
Trustees

1 (i) promote business, government ethics and inter-governmental  
2 relations;

3 (j) determine the standards of knowledge and skills to be attained by a  
4 person seeking to become a member of the profession (in this Act referred to as  
5 "the profession") and reviewing those standards as circumstances may require;

6 **4.-(1)** There is established for the Institute the Board of Trustees (in  
7 this Act referred to as "the Board") which membership shall:

8 (a) exercise oversight on the Council;

9 (b) from time to time advise the Council on general matters of  
10 administration;

11 (c) not be subjected to any election;

12 (d) ensure that in the event of death or incapacity of a member, the  
13 Board shall appoint a successor; and

14 (e) be of indefinite term

15 (2) The Board shall consist of:

16 (a) the Chairman;

17 (b) the Deputy Chairman;

18 (c) the Secretary;

19 (d) other members of the Board

20 The Board of Trustees of the Institute shall be the highest law making body of  
21 the Institute and it shall hear and determine complaints that be brought before it  
22 by members (who are in arrears of their subscriptions and levies) its decision on  
23 any issue is not subjected to any further debate.

24 Members of the Board of Trustees shall hold office for life.

25 (3) The Chairman of the Board of Trustees shall be such person as  
26 may be designated by the members of Board of Trustees. The Chairman shall  
27 serve for a period of five years and shall be eligible for re-appointment for  
28 successive periods of five years after which another member shall be appointed  
29 for the chairmanship position and the former Chairman default to membership  
30 of the Board.

1 (4) The Board shall hold its meetings from time to time as maybe  
2 scheduled by the Board and shall have powers to regulate its proceedings.

3 (5) At least three members of the Board shall be present at the  
4 meeting of the Council.

5 (6) The members of the Board of Trustees shall receive  
6 remuneration for their activities, such as which amount shall be reviewed  
7 from time to time. They are, however, entitled to reimbursement of the  
8 expenses made in the exercise of their duties.

9 (7) No member of the Board shall dispose any policy matter except  
10 with prior approval of the Board.

11 (8) where disciplinary committee is unable to resolve any matter  
12 brought before it shall refer the matter to the Council. In the event that the  
13 Council is unable to resolve same, it shall in turn refer it to the Board and any  
14 decision taken on the matter shall be final.

15 **5.-(1)** The Principal Officers of the Institute are the:

Election of  
principal Officers  
of the Institute

16 (a) President;

17 (b) 1st Vice-President;

18 (c) 2nd Vice-President;

19 (c) National Secretary;

20 (d) Director Membership Services;

21 (e) National Treasurer; and

22 (f) Registrar/CEO.

23 (2) The Principal Officers listed in subsection (1) shall be:

24 (a) financial members of the Institute in the grades of fellows, full  
25 members, associate members and licentiate members; and

26 (b) elected to office biennially at the second Council meeting after  
27 another term of two years, and no more.

28 (3) The President shall be the Chairman of the meetings of the  
29 Institute, but in the event of his incapacity, death or inability to perform the  
30 duties imposed on him under this subsection, the Vice President shall

	1	discharge such duties for the unexpired portion of the term of office of the
	2	President.
	3	(4) If any of the officers listed under subsection (1) of this section
	4	ceases to be a member of the Institute, he shall cease to hold any of the
	5	designated offices.
Establishment and composition of the Governing Council	6	<b>6.-(1)</b> There is established for the Institute the Governing Council (in
	7	this Act referred to as "the Council") which shall be responsible for the
	8	administration and general management of the Institute.
	9	(2) The Council shall consist of:
	10	(a) the President of the Institute, as the Chairman;
	11	(c) the 1st Vice-President of the Institute, as the Deputy Chairman;
	12	(d) the 2nd Vice-President of the Institute, as a member;
	13	(e) Director Membership Services as a member;
	14	(c) the Registrar/CEO as Secretary;
	15	(d) 12 members nominated by the Institute from the six geo-political
	16	zones of the Federation;
	17	(e) two persons who shall be members of the Institute, to represent
	18	institutions of higher education in Nigeria offering courses leading to an
	19	approved qualification, to be appointed in rotation;
	20	(e) the immediate past President of the Institute;
	21	(f) Members of the Board of Trustees;
	22	(g) DG or Provost of ICRDSS;
	23	(h) one person each, not below the rank of a Director, to represent the
	24	Federal Ministry of:
	25	(i) Budget and Planning,
	26	(ii) Youth and Social Development;
	27	(iii) Education.
First Schedule	28	(3) The provisions of the First Schedule to this Act shall have effect
	29	with respect to the supplementary provisions of the Council, qualifications,

1 tenure of office of members of the Council, and other matters mentioned in  
2 the Schedule.

3 7.-(1) A Board of Fellows shall be appointed annually to coordinate  
4 the activities of Fellows of the Institute and recommend to the Council, on  
5 yearly basis, admission of members of the Fellows. Appointment of  
the Board of  
Trustees

6 (2) The Board of Fellows shall consist of persons who have been  
7 duly elected as Fellows of the Institute, and shall have a chairman who shall  
8 preside over the activities of the Board.

9 PART II - FINANCIAL PROVISIONS

10 8.-(1) The Council shall establish and maintain a Fund for the  
11 Institute, the management and control of which shall be under the authority  
12 of the Council, into which shall be paid: Establishment of  
Fund and  
expenditure

13 (a) all money received by the Council under this Act;

14 (b) all subscriptions and fees under this Act;

15 (c) such money as may be provided by the Federal, State or Local  
16 Government by way of grants and subventions or loans; and

17 (d) all money raised for the purposes of the Institute by way of gifts,  
18 donations, grants-in-aid, testamentary dispositions from individuals,  
19 bodies, corporations or philanthropic organisations.

20 (2) The Council shall apply the proceeds of the Fund of the Institute  
21 to:

22 (a) all expenditures incurred by the Institute in the course of the  
23 performance of its functions under this Act;

24 (b) the remunerations and allowances of the Registrar and other  
25 staff of the Institute;

26 (c) the maintenance of the premises and property owned and  
27 vested in the Institute;

28 (d) the payment of travelling allowances and such stipend for  
29 members of the Council as may be approved by the Council; and

30 (e) the payment of such other charges as may be reasonably

	1	incurred in the performance of the functions of the Institute and the Council.
Act No. 11, 2007	2	(3) For the purposes of companies income tax, any donation made by
	3	any company in Nigeria to the Institute shall be a deductible donation within
	4	the meaning of the Companies Income Tax Act.
Power to borrow money	5	9.-(1) The Council may, with the general consent of its members or in
	6	accordance with the general guidelines or authority given by the Government
	7	of the Federation, borrow, on behalf of the Institute, by way of loan or overdraft
	8	from any source, any money required by the Council to meet the obligations of
	9	the Institute in order to perform its functions under this Act, and such consent or
	10	authority shall be required where the sum or aggregate of the sums involved at
	11	any time does not exceed such amount as is, for the time being, projected in
	12	relation to the Institute in any particular year.
	13	(2) The Council may, subject to the provisions of this Act and
	14	conditions of trust in respect of funds held or any property owned by the
	15	Institute, invest any but not all of its funds with the same consent or general
	16	authority.
Annual estimates, account and audit	17	10.-(1) The Chairman of the Council shall cause to be prepared, not
	18	later than six months before the end of the year, estimates for the recurrent and
	19	capital expenditure and income of the Institute during the next financial year
	20	which shall be presented to the annual general meeting of the Institute by the
	21	Council for approval.
	22	(2) The Council shall:
	23	(a) keep proper accounts and records; and
	24	(b) prepare, in respect of each financial year, a statement of account in
	25	such form as the Chairman or the Council shall direct.
	26	(3) The Council shall, soon after the end of a financial year, cause the
	27	accounts of the Institute and those of the Council to be audited by qualified
	28	auditors appointed from the list of auditors and in accordance with the
	29	guidelines laid down by the Auditor-General for the Federation.
	30	(4) The auditors appointed in subsection (3) shall, on completion of

1 the audit of the accounts of the Institute and the Council for each financial  
2 year, prepare and submit to the Council:

3 (a) general report setting out the observations and  
4 recommendations of the auditors on the financial affairs of the Institute and  
5 the Council for the year, and on any important matter which the auditors may  
6 consider necessary to bring to the notice of the Council; and

7 (b) detailed report containing the observations and  
8 recommendations of the auditors on all aspects of the operations of the  
9 Institute and the Council.

10 There shall exist within the Institute a Training and Research arm called  
11 International Centre for Research in Development and Social Studies.

12 The centre shall have a structure similar to those in universities and other  
13 research Institutes in Nigeria.

14 It shall perform functions that are not limited to the following:

15 (i) Train deserving candidates admitted by the Institute into her  
16 various categories of memberships before their inductions;

17 (ii) Shall award different certificates to those so trained in  
18 subsection (i) above;

19 (iii) to undertake all forms of studies and research into problems of  
20 development and social studies;

21 (iv) To award diplomas, degrees and postgraduate degrees to all  
22 those admitted, trained and deemed to have qualified from the Centre;

23 (v) To disseminate research and other information through  
24 publications of books, journals and Newsletters.

25 Appointments into the centre shall be based on guidelines for appointment  
26 and promotion developed by the Governing Council and approved by the  
27 Board of Trustees.

### 28 PART III - THE REGISTRAR

29 11.-(1) The Council shall appoint a fit and proper person to be the  
30 Registrar of the Institute.

Appointment  
and duties of the  
Registrar

1 (2) The Registrar appointed under subsection (1) shall be the head of  
2 the administration of the Institute and Secretary to the Council.

3 (3) The Registrar shall prepare and maintain a register:

4 (a) of members of the Institute; and

5 (b) which shall consist of four parts, one each in respect of:

6 (i) Fellows,

7 (ii) Full Members;

8 (iii) Associates, and

9 (iv) Licentiates.

10 (4) Subject to the provisions of this subsection, the Council may make  
11 rules with respect to the form, keeping of the register and making of entries and,  
12 in particular:

13 (a) the making of application for enrolment or registration;

14 (b) providing for notification to the Registrar, by the person to whom  
15 registered particulars relate, of any change in those particulars;

16 (c) authorising a registered person to have any qualification, which is  
17 in relation to the relevant discipline of the profession for the purpose of this  
18 Act, registered in relation to his name in addition to, as he may elect, the  
19 substitution for other qualifications so registered;

20 (d) specifying, the fees, including subscription to be paid to the  
21 Institute in respect of the entry of names in the register; and

22 (e) specifying anything not specified under this section, but rules  
23 made for the purposes of paragraph (d) shall not come into force until they are  
24 confirmed at a special meeting of the Institute convened for that purpose, or at  
25 the next annual general meeting of the Institute.

26 (5) The Registrar shall:

27 (a) correct, in accordance with the Council's directives, any entry in  
28 the register which the Council directs him to correct as being, in the Council's  
29 opinion, an entry which was incorrectly made;



1 (b) remove from the register the name of any registered person who  
2 had died;

3 (c) record the names of the members of the Institute who are in  
4 default in the payment of the annual subscription, dues or other charges for  
5 more than 12 months, and take such action (including removal of the names  
6 of the defaulters from the register) as the Council may determine or direct;

7 (d) make any necessary alteration In the registered particulars of  
8 registered persons;

9 (e) send by post to any registered person a letter addressed to him at  
10 his address on the register enquiring whether the registered particulars  
11 relating to him are correct and shall receive a reply to the letter within six  
12 months from the date of posting; and

13 (f) upon the expiration of the period specified in paragraph (e) of  
14 this subsection, send in like manner to the person in question a second  
15 similar letter and where no reply to the letter is received within three months  
16 from posting it, then, the Registrar may remove the particulars relating to the  
17 person in question from the register, and the Council may direct the  
18 Registrar to restore to the appropriate part of the register the particulars  
19 removed under this subsection.

20 **12.-(1)** The Registrar shall:

21 (a) cause the register to be printed, published and put on sale to  
22 members of the public not later than two years from the commencement of  
23 this Act;

24 (b) thereafter in each year, cause to be printed, published and put on  
25 sale a corrected edition of the register since it was last printed; and

26 (c) cause a print of each edition of the register and of each list of  
27 corrections to be deposited at the principal offices of the Institute and the  
28 Council shall keep the register and the list so deposited available at all  
29 reasonable times for inspection by members of the Institute.

30 (2) A document purporting to be a print of an edition of the register

Publication of  
register and list  
of corrections

1 published under this section by authority of the Registrar or documents  
2 purporting to be a print of an edition so printed, shall (without prejudice to any  
3 other mode of proof) be admissible in any proceeding as evidence that any  
4 person specified in the document or documents read together, as being  
5 registered was so registered at the date of the edition or of list of corrections, as  
6 the case may be, and that any person not so specified was not registered.

7 (3) Where in accordance with subsection (2), a person is, in any  
8 proceeding, shown to have been, or not to have been, registered at a particular  
9 date, he shall, unless the contrary is proved, be taken for the purposes of those  
10 proceedings as having at all material times thereafter continued to be, or not to  
11 be, so registered.

Registration

12 **13.**-(1) Subject to the rules made by the Council under section 10 (4)  
13 of this Act, a person whether or not a member of a professional Development  
14 and Social Studies body recognised by an Act of the National Assembly is  
15 entitled to be enrolled or registered as a Member of Chartered Institute of  
16 Development and Social Studies if he:

17 (a) passes the qualifying examination of membership conducted by  
18 the Council under this Act and completes the practical training prescribed; or

19 (b) holds a qualification granted outside Nigeria and, for the time  
20 being, accepted by the Institute and, if the Council so requires, satisfies the  
21 Council that he had sufficient practical experience as a Development and  
22 Social professional.

23 (2) An applicant for registration shall, in addition to evidence of  
24 qualification, satisfy the Council that he:

25 (a) is of good character;

26 (b) has attained the age of 21; and

27 (c) has not been convicted of a criminal offence involving fraud or  
28 dishonesty in Nigeria or elsewhere.

29 (3) The Council may, in its discretion, provisionally accept a  
30 qualification presented in respect of an application for registration under this

1 section and direct that the application be renewed within such period as may  
2 be specified in the direction.

3 (4) Any entry directed to be made in the register under subsection  
4 (4) of this section shall indicate that the registration is provisional, and no  
5 entry made in consequence thereof shall be converted to or construed as full  
6 registration without explicit consent of the Council made in writing in that  
7 behalf.

8 (5) The Council shall publish in the Federal Government Gazette  
9 particulars of qualifications for the time being accepted.

10 **14.-(1)** The Council may approve an institution for the purposes of Approval of  
11 this Act and may approve any: qualification

12 (a) course of training at any institution which is intended for  
13 persons who are seeking to become members and which the Council  
14 considers as necessary to confer on persons completing the course sufficient  
15 knowledge and skill for admission to the Institute; and

16 (b) qualification which, as a result of an examination taken in  
17 conjunction with a course of training approved by the Council under this  
18 section, is granted to candidates reaching a standard at the examination  
19 indicating, in the opinion of the members of the Council, that the candidates  
20 have sufficient knowledge and skill to practise as a professional.

21 (2) The Council may, if it deems fit, withdraw any approval given  
22 under this section in respect of any course, qualification or institution, but  
23 before withdrawing such an approval, the Council shall:

24 (a) give notice that it proposes to do so to persons in Nigeria  
25 appearing to the Council to be persons by whom the course is conducted or  
26 the qualification is granted or the institution is controlled, as the case may  
27 be;

28 (b) afford each person an opportunity of making representations to  
29 the Council with regard to the proposal; and

30 (c) take into consideration any representation made with respect to

1 the proposal in paragraph (b).

2 (3) Where the approval of the Council under this section for a course,  
3 qualification or institution is withdrawn, the course, qualification or institution  
4 shall not be treated as approved under this section, but the withdrawal of any  
5 such approval shall not prejudice the registration or eligibility for registration  
6 of any person who, by virtue of the approval was registered or eligible for  
7 registration immediately before the approval was withdrawn.

8 (4) The giving or withdrawal of an approval under this section shall  
9 have effect from such date, either before or after the execution of the  
10 instrument signifying the giving or withdrawal of the approval, as the Council  
11 may specify in that instrument, and the Council shall:

12 (a) publish, as soon as possible, a copy of every such instrument in the  
13 Federal Government Gazette; and

14 (b) not later than seven days before its publication, send a copy of the  
15 instrument to the Minister.

Supervision of  
instructions  
leading to  
approved  
qualifications

16 **15.-(1)** The members of the Council of the Institute shall keep  
17 themselves informed of the nature of the:

18 (a) instructions given at approved institutions to persons attending  
19 approved training; and

20 (b) examination as a result of which approved qualification are  
21 granted, and for the purpose of performing that duty, the Council may appoint,  
22 either from among its own members or otherwise, a person to visit approved  
23 institutions or to attend such examination.

24 (2) The visitor appointed in this section shall report to the Council on:

25 (a) the sufficiency of the instructions given to persons attending  
26 approved courses of training at institutions visited by him;

27 (b) the conduct and adequacy of the examination observed by him;  
28 and

29 (c) any other matter relating to the instructions or examinations on  
30 which the Council may, either generally or in a particular case, request him to

1 report, but no visitor shall interfere with the giving of any instruction or the  
2 conduct of any examination.

3 (3) On receiving a report made in this section, the Council may, if it  
4 deems fit, and shall, if so required by the Institution, send a copy of the report  
5 to the person appearing to the Council to be in charge of the institution or  
6 which the Disciplinary Tribunal has cognisance under this Act as  
7 responsible for the examination of which the report relates requesting that  
8 person to make an observation on the report to the Council within such  
9 period as may be specified in the request, not less than one month, beginning  
10 with the date of the request.

11 PART IV - PROFESSIONAL DISCIPLINE

12 16.-(1) There is established the Chartered Institute of Development  
13 and Social Studies Investigating Panel (in this Act referred to as "the  
14 Investigating Panel") charged with the duty of:

Establishment,  
composition and  
duties of  
Investigating Panel  
and Disciplinary  
Tribunal

15 (a) conducting a preliminary investigation into any case where it is  
16 alleged that a member has misbehaved in his capacity as a developing  
17 manager or should, for any other reason, be the subject of proceeding before  
18 the Disciplinary Tribunal; and

19 (b) deciding whether the case should be referred to the Disciplinary  
20 Tribunal.

21 (2) The Investigating Panel shall be constituted by the Council and  
22 shall consist of four members of the Council and one person who is not a  
23 member of the Council.

24 (3) There is established the Chartered Institute of Development and  
25 Social Studies Disciplinary Tribunal (in this Act, referred to as "the  
26 Disciplinary Tribunal") charged with the duty of considering and  
27 determining any case referred to it by the Investigating Panel established in  
28 subsection (1) of this section, and any other case of investigation, of which  
29 the Disciplinary Tribunal has cognisance under this Act.

30 (4) The Disciplinary Tribunal shall consist of the Chairman of the

	1	Council and six other members of the Council.
Second Schedule	2	(5) The provisions of the Second Schedule to this Act shall, so far as
	3	applicable to the Disciplinary Tribunal and Investigating Panel respectively,
	4	have effect with respect to the bodies.
	5	(6) The Council may make rules consistent with this Act as to acts
	6	which constitute professional misconduct.
Penalties for unprofessional conduct	7	17.-(1) Where:
	8	(a) a member is judged by the Disciplinary Tribunal to be guilty of
	9	infamous conduct in any professional respect;
	10	(b) a member is convicted, by any court or tribunal in Nigeria or
	11	elsewhere, having power to award imprisonment, of an offence or (whether or
	12	not punishable with imprisonment) which, in the opinion of the Disciplinary
	13	Tribunal, is incompatible with the status of a Development and Social Studies
	14	practitioner, or
	15	(c) the Disciplinary Tribunal is satisfied that the name of any person
	16	has been fraudulently registered, the Disciplinary Tribunal may, if it deems fit,
	17	give a direction reprimanding that person or ordering the Registrar to strike his
	18	name off the relevant part of the register.
	19	(2) The Disciplinary Tribunal may, if it deems fit, defer its decisions
	20	as to the giving of a direction in subsection (1) until a subsequent meeting of the
	21	Disciplinary Tribunal but no:
	22	(a) decision shall be deferred under this subsection for a period
	23	exceeding two years on the aggregate; and
	24	(b) person shall be a member of the Disciplinary Tribunal for
	25	purposes of reaching a decision which has been deferred or further deferred,
	26	unless he was present as a member of the Disciplinary Tribunal when the
	27	decision was deferred.
	28	(3) For the purposes of subsection (1) (b), a person shall not be treated
	29	as convicted unless the conviction stands at a time when no appeal or further
	30	appeal is pending or may (without extension of time) be brought in connection

1 with the conviction.

2 (4) When the Disciplinary Tribunal gives a direction under  
3 subsection (1), the Disciplinary Tribunal shall cause notice of the direction  
4 to be served on the person to whom it relates.

5 (5) A person whose name is struck off the register on the direction  
6 of the Disciplinary Tribunal under this section is not entitled to be enrolled  
7 or registered again except on the direction of the Disciplinary Tribunal on  
8 the application of the person, and a direction under this section for the  
9 removal of a person's name from the register may prohibit an application  
10 under this subsection by that person until the expiration of such period from  
11 the date of the direction (and where he has duly made such an application,  
12 from the date of his last application) as may be specified in the direction.

13 PART V - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

14 18.-(1) The Council may make rules:

15 (a) for the training of suitable persons in development methods and  
16 practice;

17 (b) for the supervision and regulation of the engagement, training  
18 and transfer of such persons;

19 (c) prescribing the amount and the due for payment of annual  
20 subscription, and for such purpose different amounts may be prescribed by  
21 the rules according to whether the person is enrolled as a fellow, associate  
22 member, a graduate member, licentiate member or student;

23 (d) prescribing the form of licence to practise to be issued annually  
24 or, if the Council deems fit, by endorsement on any existing licence; and

25 (e) restricting the right to practise in default of payment of the  
26 amount of annual subscription where the default continues for longer than  
27 such period as may be prescribed by the rules.

28 (2) Rules when made under this section shall, if the Chairman of  
29 the Council so directs, be published in the Federal Government Gazette.

Rules as to  
professional  
practice and fees

Provision of library facilities	1	<b>19.</b> The Institute shall:
	2	(a) provide and maintain a Library comprising books and publications
	3	for the advancement of knowledge of Social studies and development, and
	4	such other books and publications as the Council may deem necessary for that
	5	purpose; and
Offences	6	(b) encourage research into development and social studies methods
	7	and allied subjects to the extent that the Council may consider necessary.
	8	<b>20.-(1)</b> If any person, for the purpose of procuring the registration of
	9	any name, qualification or other matter:
	10	(a) makes a statement which he believes is false, or
	11	(b) recklessly makes a statement which is false, the person commits
	12	an offence.
	13	(2) Where, on or after the relevant date, any person, not a member of
	14	the Institute, who practises or holds himself out to practise development and
	15	social studies for or in expectation of reward or takes or uses any name, title,
	16	addition or description implying that he is in the practise of development and
	17	social studies, the person commits an offence under this Act, provided that in
	18	the case of person falling within section 17 of this Act:
	19	(a) this subsection shall not apply in respect of anything done by him
	20	during the period mentioned in that section; and
	21	(b) if, within that period, he duly applies for membership of the
	22	Institute, then, unless within that period he is notified that his application has
	23	not been approved, this subsection shall not apply in respect of anything done
	24	by him between the end of that period and the date on which he is enrolled or
	25	registered or is notified,
	26	(3) If the Registrar or any other person employed by or on behalf of
	27	the Institute wilfully makes any falsification in any matter relating to the
	28	register, he commits an offence.
	29	(4) A person who commits an offence under this section is liable:
	30	(a) on summary conviction, to a fine not exceeding N50,000; and



1 (b) on conviction on indictment, to a fine not exceeding N100,000  
2 or to imprisonment for a term not exceeding two years or to both.

3 (5) Where an offence under this section which has been committed  
4 by a body corporate is proven to have been committed with the consent or  
5 connivance of, or to be attributed to any neglect on the part of any director,  
6 manager, secretary or other similar officer of the body corporate or any  
7 person purporting to act in any such capacity, he, as well as the body  
8 corporate, shall be deemed to have committed that offence and shall be  
9 liable to be prosecuted and punished accordingly.

10 (6) In this section, "the relevant date" means the third anniversary  
11 of the appointed day or such earlier date as may be prescribed for the purpose  
12 of this section by order of the Minister published in the Federal Government  
13 Gazette.

14 **21.**-(1) Any regulation made under this Act shall be published in  
15 the Federal Government Gazette as soon as may be after they are made and a  
16 copy of such regulations shall be sent to the Minister, not later than seven  
17 days before they are so published.

Rules and  
regulations

18 (2) Rules made for the purposes of this Act shall be subject to  
19 confirmation by the Institute at its next general meeting or at any special  
20 meeting of the Institute convened for that purpose, and, if then annulled,  
21 shall cease to have effect on the day after the date of annulment, but without  
22 prejudice to anything done in pursuance or intended pursuance of such rules.

23 **22.** In this Act:

Interpretation

24 "Institute" means Chartered Institute of Development and Social Studies  
25 established under section 1 (1) of this Act;

26 "Council" means the Council established as the governing body of the  
27 Institute under section 5 (1) of this Act;

28 "Disciplinary Tribunal" means the Chartered Institute of Development and  
29 Social Studies Disciplinary Tribunal established under section 15 (3) of this  
30 Act;

1 "enrolled" relates to a fellow, an associate member, a graduate member or a  
2 licentiate member, as the case may be;  
3 "fees" includes annual subscription;  
4 "Investigating Panel" means the Chartered Institute of Development and  
5 Social Studies Investigating Panel established under section 15 (1) of this Act;  
6 "Minister" means the Minister charged with the responsibility for matters  
7 relating to finance;  
8 "President and Vice-President" means respectively the office holders under  
9 those names in the Institute;  
10 "profession" means the profession of development and social studies; and  
11 "register" means the Register maintained under section 10 (3) of this Act.

Citation

12 **23.** This Bill may be cited as the Chartered Institute of Development  
13 and Social Studies Bill, 2021.

14 SCHEDULES

15 FIRST SCHEDULE

16 *Section 5 (3)*

17 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

18 *Qualifications and tenure of members*

19 1.-(1) Subject to the provisions of this paragraph, a member of the  
20 Council shall hold office for a period of two years beginning with the date of his  
21 appointment or election.

22 (2) A member of the Institute who ceases to be a member shall, if he is  
23 also a member of the Council, cease to hold office on the Council.

24 (3) An elected member may, by notice in writing under his hand  
25 addressed to the President, resign his office, and any appointed member may  
26 likewise resign his appointment.

27 (4) A person who retires from or otherwise ceases to be an elected  
28 member of the Council is eligible again to become a member of the Council,  
29 and any appointed member may be reappointed.

30 (5) Members of the Council shall, at a meeting before the annual

1 general meeting of the Institute, arrange for five members of the Council  
2 appointed or elected, and those who are longest in office shall retire at that  
3 annual general meeting.

4 (6) Elections to the Institute shall be held in such manners as may  
5 be prescribed by rules made by the Council and, until so prescribed, they  
6 shall be decided in a secret balloting process.

7 (7) If, for any reason, there is a vacation of office by a member and  
8 such member was:

9 (a) appointed by the Minister or any other body corporate, the  
10 Minister or the body corporate shall appoint another fit person to occupy the  
11 office in which the vacancy occurs; or

12 (b) elected, the Council may, if the period between the unexpired  
13 portion of the tenure of office and the next general meeting of the Institute  
14 appears to warrant the prompt filling of the vacancy, co-opt another fit  
15 person for such period.

16 *Powers of the Council*

17 2. The Council shall have powers to do anything which in its  
18 opinion is calculated to facilitate the activities of the Institute.

19 *Proceedings of the Council*

20 3.-(1) Subject to the provisions of this Act, the Council may, in the  
21 name of the Institute, make standing orders regulating the proceedings of the  
22 Institute or of the Council, and, in the exercise of its powers under this Act,  
23 may set up committees in the general interest of the Institute and make  
24 standing orders.

25 (2) Standing orders shall provide for decisions to be taken by a  
26 majority of the members and, in the event of equality of votes, the President  
27 or the Chairman, as the case may be, shall have a second or casting vote.

28 (3) Standing orders made for a committee shall provide that the  
29 committee shall report back to the Council on any matter not within its  
30 competence to be decided upon.

1           4. The quorum of the Council shall be nine and the quorum of a  
2     committee of the Council shall be as determined by the Council.

3                                   *Meetings of the Institute*

4           5.-(1) The Council shall convene the annual general meeting of the  
5     Institute on a day as the Council may appoint in any particular year, so that if the  
6     meeting is not held within one year, after the previous annual general meeting,  
7     not more than 15 months shall elapse between the respective dates of the two  
8     meetings.

9           (2) A special meeting of the Institute may be convened by the Council  
10    at any time, and if at least 30 members of the Institute require it by notice in  
11    writing addressed to the General Secretary of the Institute, setting out the  
12    objects of the proposed meeting, the Chairman shall convene a special meeting  
13    of the Institute.

14          (3) The quorum of any general meeting of the Institute shall be 15  
15    members and that of any special meeting of the Institute shall be 25 members.

16                                   *Meetings of the Council*

17          6.-(1) Subject to the provisions of any standing order of the Council,  
18    the Council shall meet whenever it is summoned by the Chairman, and if the  
19    Chairman is required to do so by notice in writing given to him by at least seven  
20    other members, he shall summon a meeting of the Council to hold within seven  
21    days from the date on which the notice is given.

22          (2) At any meeting of the Council, the Chairman or, in his absence,  
23    the Deputy Chairman shall preside, but if both are absent, the members present  
24    at the meeting shall appoint one of them to preside at the meeting.

25          (3) Where the Council desires to obtain the advice of any person on a  
26    particular matter, the Council may co-opt him as a member for such period as  
27    the Council deems fit, but a person who is a member by virtue of this  
28    subparagraph is not entitled to vote at any meeting of the Council and does not  
29    count towards a quorum.

30          (4) Notwithstanding anything in this paragraph, the first meeting of

1 the Council shall be summoned by the Minister who may give such  
2 directions as he deems fit as to the procedure which shall be followed at the  
3 meeting.

4 *Committees*

5 7.-(1) The Council may set up one or more committees to carry out,  
6 on behalf of the Institute or Council, such functions as the Council may  
7 determine.

8 (2) A committee set up under this paragraph shall consist of a  
9 number of persons determined by the Council, and a person other than a  
10 member of the Council shall hold office on the committee in accordance  
11 with the terms of the instrument by which he is appointed.

12 (3) Any recommendation of a committee shall be of no effect until  
13 it is approved by the Council.

14 *Miscellaneous*

15 8.-(1) The fixing of the seal of the Institute shall be authenticated  
16 by the signature of the President or other member of the Council authorised  
17 generally by the Institute to act for that purpose.

18 (2) Any contract or instrument, which if made or executed by a  
19 person not being a body corporate would not be required to be under seal,  
20 may be made or executed on behalf of the Institute or Council, as the case  
21 may require, by any person generally or specially authorised to act for the  
22 purpose by the Council.

23 (3) Any document purporting to be a document duly executed  
24 under the seal of the Institute shall be received in evidence and shall, unless  
25 the contrary is proved, be deemed to be so executed.

26 (4) The validity of any proceeding of the Institute, Council or a  
27 committee of the Council shall not be affected by:

28 (a) any vacancy in the membership;

29 (b) any defect in the appointment of a member of the Institute or  
30 Council; or

1 (c) reason that a person not entitled to serve on the Committee took  
2 part in the proceedings.

3 (5) A member of the Institute or Council and any person holding office  
4 on a committee of the Council who has a personal interest in the Council or a  
5 committee shall disclose his interest to the President or Council, as the case  
6 may be, and shall not vote on any question relating to the contract or  
7 arrangement.

8 (6) A person shall not, by reason only of his membership of the  
9 Institute, be required to disclose any interest relating solely to the audit of the  
10 accounts of the Institute.

11 SECOND SCHEDULE

12 *Section 15 (5)*

13 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

14 TRIBUNAL AND INVESTIGATING PANEL

15 *The Disciplinary Tribunal*

16 1. The quorum of the Disciplinary Tribunal shall be three of whom, at  
17 least two, shall be professional Development and Social practitioners.

18 2.-(1) The Chief Justice of Nigeria shall make rules as to the selection  
19 of members of the Disciplinary Tribunal for the purposes of any proceeding,  
20 the procedures to be followed and the rules of evidence to be observed in the  
21 proceedings before the Disciplinary Tribunal:

22 (a) for securing that notice of the proceedings shall be given at such  
23 time and manner as may be specified by the rules to the person who is the  
24 subject of the proceeding;

25 (b) for determining who, in addition, shall be a party to the  
26 proceedings;

27 (c) for securing that any party to the proceedings shall, if he so  
28 requires, be entitled to be heard by the Disciplinary Tribunal;

29 (d) for enabling any party to the proceedings to be represented by a  
30 legal practitioner;

1 (e) subject to the provisions of section 16 (5) of this Act, as to the  
2 costs of proceedings before the Disciplinary Tribunal;

3 (f) for requiring, in a case where it is alleged that the person who is  
4 subject of the proceedings is guilty of infamous conduct in any professional  
5 respect, that where the Disciplinary Tribunal adjudges that the allegation has  
6 not been proved, it shall record a finding that the person is not guilty of such  
7 conduct in respect of the matters to which the allegation relates; and

8 (g) for publishing in the media notice of any direction of the  
9 Disciplinary Tribunal which has taken effect providing that a person's name  
10 shall be struck off a register.

11 3. For the purposes of any proceeding before the Disciplinary  
12 Tribunal, any member of the Tribunal may administer oaths and any party to  
13 the proceedings may issue through the Supreme Court writs of *subpoena ad*  
14 *testificandum and duces tecum*, but no person appearing before the  
15 Disciplinary Tribunal shall be compelled to:

16 (a) make any statement before the Disciplinary Tribunal tending to  
17 incriminate himself; and

18 (b) produce any document under such a writ which he could be  
19 compelled to produce at the trial of an action.

20 4.-(1) For the purposes of advising the Disciplinary Tribunal on  
21 questions of law arising in the proceedings before it, there shall, in all such  
22 proceedings, be an assessor to the Disciplinary Tribunal who shall be  
23 appointed by the Council on the nomination of the Chief Justice of Nigeria  
24 and shall be a legal practitioner of at least seven years standing.

25 (2) The Chief Justice of Nigeria may make rules as to the functions  
26 of assessors appointed under this paragraph and, in particular, such rules  
27 shall contain provisions for securing that:

28 (a) where an assessor advises the Disciplinary Tribunal on any  
29 question of law as to evidence, procedure or any matter specified in the  
30 rules, he shall do so in the presence of every party or person representing a

1 party to the proceedings who appears or, if the advice is tendered while the  
2 Disciplinary Tribunal is deliberating in private, that every such party or  
3 persons are present; and

4 (b) every such party or person shall be informed if in any case the  
5 Disciplinary Tribunal does not accept the advice of the assessor on such a  
6 question.

7 (3) An assessor may be appointed under this paragraph either  
8 generally or for any particular proceeding or class of proceedings, and shall  
9 hold and vacate office in accordance with the terms of the instrument by which  
10 he is appointed.

11 *The Investigating Panel*

12 5. The quorum of the Investigating Panel shall be two.

13 6.-(1) The Investigating Panel may, at any of its sittings attended by  
14 all its members, make standing orders with respect to the Investigating  
15 Panel.

16 (2) Subject to the provisions of any such standing order, the  
17 Investigating Panel may regulate its own procedure.

18 *Miscellaneous*

19 7.-(1) A person ceasing to be a member of the Disciplinary Tribunal or  
20 the Investigating Panel is eligible for reappointment as a member of that body.

21 (2) A person may, if otherwise eligible, be a member of both the  
22 Disciplinary Tribunal and the Investigating Panel, but no person who acted as a  
23 member of the Investigating Panel with respect to any case shall act as a  
24 member of the Disciplinary Tribunal with respect to that case.

25 8. The Disciplinary Tribunal or the Investigating Panel may act  
26 notwithstanding any vacancy in its membership, and the proceedings of either  
27 body shall not be invalidated by any irregularity in the appointment of a  
28 member of that body, or (subject to paragraph 7 (2) of this Schedule) by reason  
29 of the fact that any person who was not entitled to do so took part in the  
30 proceedings of the body.



1                   9. Any document authorised or required by virtue of this Act to be  
2           served on the Disciplinary Tribunal or the Investigating Panel shall be  
3           served on the Registrar of this Institute.

4                   10. Any expense of the Disciplinary Tribunal or the Investigating  
5           Panel shall be defrayed by the Institute.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Development and Social Studies to provide for the control of its membership and advancing the science and the practice of development and social studies in Nigeria.