

PHARMACEUTICAL TECHNOLOGISTS AND PHARMACY TECHNICIANS  
REGULATORY BOARD OF NIGERIA ESTABLISHMENT BILL, 2017

ARRANGEMENT OF SECTIONS.

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# A BILL

## FOR

AN ACT TO ESTABLISH THE PHARMACEUTICAL TECHNOLOGISTS AND PHARMACY TECHNICIANS REGULATORY BOARD OF NIGERIA TO BE VESTED WITH THE RESPONSIBILITY OF DETERMINING STANDARDS OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME PHARMACEUTICAL TECHNOLOGIST AND PHARMACY TECHNICIANS AND FOR RELATED MATTERS

*Sponsored by Hon. Mahmud A. Mohammed*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE PHARMACEUTICAL TECHNOLOGISTS  
2 AND PHARMACY TECHNICIANS REGULATORY BOARD

3 1.-(1) There is established a body to be known as the  
4 Pharmaceutical Technologists and Pharmacy Technicians Regulatory  
5 Board of Nigeria (in this Bill referred to as "the Board").

Establishment of  
the Pharmaceutical  
Technologists  
and Pharmacy  
Technicians  
Regulatory Board

6 (2) The Board is a body corporate with perpetual succession and a  
7 common seal, and may-

8 (a) sue or be sued in its corporate name;

9 (b) hold, acquire and dispose of any property, movable and  
10 immovable; and

11 (c) exercise right, powers, privileges and incur the liabilities and  
12 obligations of a natural person of full age and capacity.

13 2. The objects of the Board shall be to -

Objects of the  
Board

14 (a) advance Pharmaceutical Technology and Pharmacy  
15 Techniques (in this Bill referred to as "the Profession");

16 (b) issue licenses to Pharmaceutical Technologists and Pharmacy  
17 Technicians;

- 1 (c) regulate the practice of the Profession;
- 2 (d) determine what standards of knowledge and skill are to be attained
- 3 by persons seeking to become licensed members of the profession and
- 4 reviewing those standards from time to time as circumstances may permit;
- 5 (e) promote the highest standard of competence, practice and conduct
- 6 among members of the profession;
- 7 (f) advance drug and pharmaceutical technology knowledge and
- 8 essential drug education in the rural areas through the counseling of patients by
- 9 the members of the profession;
- 10 (g) ensure the preparation of a register of licensed members of the
- 11 profession and the publication from time to time of a list of those members;
- 12 (h) secure, safeguard and advance the professional knowledge,
- 13 interest and efficiency of the professional in the field through the board;
- 14 (i) conduct examinations, grant of certificates, advise and assist in
- 15 examinations relevant to the profession;
- 16 (j) conduct research in all areas of the profession;
- 17 (k) serve as a certifying body through its licensed members;
- 18 (l) ensure that safety standards are met and that necessary facilities
- 19 required in the practice of the profession are put in place;
- 20 (m) ensure effective and efficient management and administration of
- 21 the profession;
- 22 (n) arrange mandatory professional training for members of the
- 23 profession;
- 24 (o) conduct inspection of pharmaceutical technologies in post
- 25 secondary institutions, industries and research institutes in order to ensure
- 26 maintenance of professional standards;
- 27 (p) carry out action that promote the advancement of the profession in
- 28 both the public and private sectors; and
- 29 (q) perform through the governing council established under section
- 30 5 of this Act, the functions conferred on the Board by this Act.



1 (a) a Chairman, who shall be the President of the National Association  
2 of Pharmaceutical Technologists and Pharmacy Technicians of Nigeria  
3 (NAPTTON) in this Act referred to as "the Association";

4 (b) a Deputy Chairman, who shall be the Deputy President of the  
5 Association;

6 (c) a Vice Chairman who shall be the Secretary General of the  
7 Association;

8 (d) the Registrar of the Board who shall be the Secretary of this  
9 Council and Head of Department of Administration and Personnel of the  
10 Board;

11 (e) the Assistant Registrar who shall be the Assistant Secretary of the  
12 Council and deputies the Registrar in discharging his duties;

13 (f) six Deputy Registrars nominated from the six geo-political zones  
14 of the Federation;

15 (g) one representative of-

16 (i) Federal Ministry of Health;

17 (ii) State Ministry of Health;

18 (iii) National Primary Health Care Development Agency;

19 (iv) National Agency for Food, Drug, Administration and Control;

20 (v) National Drug Law Enforcement Agency;

21 (vi) Medical Corps of the Nigerian, Army, Navy and Air force; and

22 (vii) the Director of Finance who shall be the Head of Department of  
23 finance of the Council.

24 (3) There shall be a legal adviser appointed by the Council for the  
25 Board who shall be a legal practitioner with at least 2 years post call practicing  
26 experience.

27 (4) The seal of the Board shall be kept in custody as the Council may  
28 from time to time authorize.

29 (5) The Chairman, Deputy Chairman, Vice Chairman, Registrar and  
30 Zonal Deputy Registrars shall be fellows of the Board.



1 individuals and corporate bodies; and

2 (c) money as may be provided by the Federal, State and Local  
3 Government, Individuals or Corporate bodies (National or International) to the  
4 board by way of grant, subvention or otherwise.

5 (3) There shall be paid out of the fund of the Board-

6 (a) all expenditure incurred by the Council in discharge of its  
7 functions under this Act;

8 (b) remunerations and allowances of the registrar and other Staff of  
9 the Board; and

10 (c) reasonable travelling and other allowances of members of the  
11 Council in respect of the time spent on the duties of the Board as the Council  
12 may determine.

13 (4) The Council may invest money from the fund on behalf of the  
14 Board as may be approved by the Council.

Power to Borrow

15 8. The Council may, from time to time, borrow money for the  
16 purpose of the Board and any interest payable on monies borrowed, shall be  
17 paid out of the fund of the Board.

Accounts of  
the Board

18 9.-(1) The Council shall keep proper account on behalf of the Board in  
19 respect of each year and proper record in relation to the account.

20 (2) The Council shall cause the account to be audited by an auditor  
21 appointed from the list and in accordance with the guidelines supplied by the  
22 Auditor-general of the Federation.

23 (3) The auditor appointed for the purpose of this section shall not be a  
24 member of the Council.

25 (4) The Council shall prepare and submit to the Minister not later than  
26 12 months after its establishment and once in each subsequent year, a report on  
27 the activities of the Council in the last preceding year and shall include in the  
28 report, a copy of the audited accounts of the auditor's report on the account.

Appointment of  
Registrar and  
preparation of  
the Register

29 PART III - THE REGISTRAR

30 10.-(1) The council shall appoint-

1 (a) a fit and deserving member of the Board to be the Registrar and  
2 Assistant Registrar;

3 (b) six fit and deserving members of the Board from the six  
4 geopolitical zone of Nigeria (one per zone) to be Zonal Deputy Registrars;  
5 and

6 (c) other persons as the Board may from time to time think  
7 necessary to assist the Registrar in the performance of his functions under  
8 this Act.

9 (2) The Registrar shall prepare and maintain, in accordance with  
10 the rules made by the Council, a register of names, addresses, approved  
11 qualifications and other relevant particulars as may be specified in the rules,  
12 of all persons who are entitled in accordance with the provisions of this Act,  
13 to be registered as members of the Board in the category of fellows,  
14 honorary members, members, associate members, extra-ordinary members  
15 and student members who in the manner prescribed by the rules, apply to be  
16 registered.

17 (3) The Zonal Deputy Registrars shall liaise with the branches of  
18 the Association in the states under their zones to ensure proper compilation  
19 of the register and effective compliance with the provisions of this Act and  
20 Rules made pursuant to this Act.

21 (4) The Register shall consist of parts representing the different  
22 classes of membership.

23 (5) Subject to the provisions of this section, the Council shall make  
24 rules with respect to the form, keeping of the register and the making of  
25 entries in the register and in particular-

26 (a) regulating the making of applications for registration, and  
27 providing for the evidence to be produced in support of the application;

28 (b) providing for the notification to the registrar, to effect a change  
29 in particulars by the person to whom registered particulars relate;

30 (c) authorizing a registered person to have any qualification which

1 is in relation to the relevant division of the profession, either an approved  
2 qualification or an accepted qualification for the purpose of this Act, registered  
3 in relation to his name in addition to or as he may elect, in substitution for any  
4 other qualifications registered;

5 (d) specifying the fees including subscription to be paid to the board  
6 in respect of the entry of names into the register and authorizing the registrar to  
7 refuse to enter a name into the register until the fees specified for the entry has  
8 been paid;

9 (e) specifying anything failing to be specified under the provisions of  
10 this section but rules made for the purpose of paragraph (d) of this section shall  
11 not come into effect until they are confirmed at a special meeting of the Board  
12 convened for that purpose or at the next general meeting as the case may be.

Functions of  
the Registrar

13 11. -(1) The Registrar shall-

14 (a) correct in accordance with the Council's directions any entry in the  
15 register which in the Council's opinion was incorrectly made;

16 (b) make any necessary alterations in the registered particulars of  
17 registered persons from time to time;

18 (c) remove from the register, the name of any registered person who  
19 has died or ceased to be a member for any reason; and

20 (d) record the names of members of the Board who are in default for  
21 more than twelve months in the payment of annual subscription, and take  
22 appropriate action against those members (including removal of the names of  
23 the defaulters from the register) as the Council may direct or require.

Publication of  
Registers and  
list of corrections

24 12.-(1) It shall be the duty of the Registrar to cause-

25 (a) the register to be printed, published and put on sale to members of  
26 the public not later than 2 years from the commencement of this Act;

27 (b) to be printed, published and put on sale as either a-

28 (i) corrected edition of the register; or

29 (ii) list of corrections each year after the printing and publishing of the  
30 first copy of the register;

1 (c) a print of each edition of the register and of each list of  
2 corrections to be deposited at the principal offices of the Board; and

3 (d) the register and lists so deposited to be made available to  
4 members of the public at all reasonable times for inspection.

5 (2) A document purporting to be-

6 (a) a print of an edition of a register published under this section by  
7 authority of the Registrar;

8 (b) prints of an edition of the register published and of the list of  
9 corrections to that edition published; shall without prejudice to any other  
10 mode of proof, be admissible in any proceeding as evidence that any person  
11 specified in the document, or the documents read together, as being  
12 registered at the date of the edition or of the list corrections, as the case may  
13 be, and that any person not so specified was not registered.

14 (3) Where in accordance with subsection (2) of this section a  
15 person is in any proceeding shown to have been or not to have been  
16 registered at a particular date, he shall, unless the contrary is proved, be  
17 taken for the purpose of these proceedings as having in all material times  
18 thereafter continued to be, or not to be registered.

19 13.-(1) If the Registrar:

20 (a) sends by post to any registered person a letter addressed to him  
21 at his address on the register enquiring whether the registered particulars  
22 relating to him are correct and receives no reply to the letter within the  
23 period of six months from the date of posting it; and

24 (b) on the expiration of that period, send in like manner to the  
25 person in question a second similar letter and receives no reply to that letter  
26 within three months from the date of posting it,  
27 the registrar may remove the particulars relating to the person in question  
28 from the register.

29 (2) Pursuant to subsection (1) of this section, the Council may  
30 direct the Registrar to restore to the appropriate part of the register any

Entries in a  
Register

Registration  
of Members

1 particulars removed there from.

2 **PART IV - REGISTRATION**

3 **14.-(1)** Subject to section 15 of this Act and to rules made under  
4 section 10 subsection (3) of this Act, a person shall be entitled to be registered  
5 as a member of the profession if he satisfies the Council that-

6 (a) he has passed the qualifying examination for registration  
7 recognized or conducted by the Council under this Act and completes the  
8 practical training prescribed if any;

9 (b) immediately before the commencement of this Act, he holds  
10 qualification approved for membership of the Profession and has completed  
11 the post qualification experience; or

12 (c) he is by law entitled to practice for all purposes as Pharmaceutical  
13 Technologist, Pharmacy Technician or a practitioner in the country in which  
14 the qualification was granted.

15 (2) Every Pharmaceutical Technologist or Pharmacy Technician shall  
16 also be entitled to be registered under the Act if he holds Certificate as may be  
17 recognized by the Council from time to time and his conduct after qualification  
18 has been continually satisfactory for a period of not less than 3 years.

19 (3) An application to the Board for registration shall be in the  
20 prescribed form contained in schedule 1 and shall state clearly-

21 *(Schedule 1)*

22 (a) the name of the applicant and the institutions attended with  
23 qualification obtained and dates;

24 (b) name of two registered members as referees who shall endorse the  
25 application;

26 (c) 2 copies of passport sized photographs certified by the referees  
27 named above; and

28 (d) the certificate of registration shall be in the form contained in  
29 schedule 2 to this Act.

*(Schedule 2)*

(4) An application to the Board for registration under this Act shall in addition to evidence of qualification, satisfy the Council that the applicant-

(a) is of good character;

(b) has attained the age of 18 years; and

(c) has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty.

(5) The Council may, in its sole discretion, provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within a period as may be specified.

(6) Any entry directed to be made in the register, under subsection (5) of this section, shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that behalf.

(7) The Council shall from time to time, publish in the gazette, particulars of qualification for the time being accepted for registration under this Act.

(8) Every registered member shall, on or before the 31st March of each year, pay a fee to be fixed by the Board for retention of his name in the register in addition to annual practicing fee.

15.-(1) The Council may approve any qualification for the purpose of this Act, and may for the same purpose approve;

Approval of  
Qualifications,  
etc

(a) any course of training at any approved institution which is intended for persons seeking to become or who are already members of the profession and which in the opinion of the Council is designed to confer sufficient knowledge and skill on persons completing it for the practice of the profession;

(b) any qualification which, as a result of examination taken in

1 conjunction with a course of training approved by the Council under this  
2 section is granted to candidates reaching a standard at the examination,  
3 indicating in the opinion of the Council that the candidates have sufficient  
4 knowledge and skill for the practice of the profession.

5 (2) The Council may withdraw any approval given under this section  
6 in respect of any course, qualification or institution; but before withdrawing  
7 the approval the Council shall-

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

11 (b) afford the personal opportunity of making representations to the  
12 Council with regard to the proposal; and

13 (c) take into consideration any representation made with respect to the  
14 proposal pursuant to paragraph (b) of this section.

15 (3) A course, qualification or institution shall not be treated as  
16 approved during any period the approval is withdrawn under subsection (2) of  
17 this section.

18 (4) Notwithstanding the provisions of subsection (3) of this section, the  
19 withdrawal of an approval under subsection (2) of this section, shall not  
20 prejudice the registration or eligibility for registration of any person who by  
21 virtue of the approval was registered or was eligible for registration (either  
22 unconditionally or prior to his obtaining a certificate of experience)  
23 immediately before the approval was withdrawn.

24 (5) The giving or withdrawal of an approval under this section shall  
25 have effect from the date, either before or after the execution of the instrument  
26 signifying the giving or withdrawal of the approval, as the Council may specify  
27 in the instrument and the Council shall-

28 (a) expeditiously publish a copy of the instrument in the Gazette; and

29 (b) not later than 7 days before its publication, send a copy of the  
30 instrument to the Minister.

1                   16.-(1) The Council shall keep itself informed of the nature of the-  
2                   (a) instruction given at approved institution to persons attending  
3 approved courses of training; and

Supervision of  
instructions and  
examinations  
leading to approved  
qualification

4                   (b) examinations as a result of which approved qualifications are  
5 granted; and for the purpose of performing these duties, the Council may  
6 appoint, either from among its own members or otherwise, persons to visit  
7 the approved institutions, or to observe the examinations.

8                   (2) A person appointed under subsection (1) of this section shall  
9 report to the Council on-

10                   (a) the adequacy or otherwise of the instruction given to persons  
11 attending approved course of training at institutions visited;

12                   (b) the adequacy or otherwise of the examination conducted at any  
13 institution he visited; and

14                   (c) any other matter to the institutions or examinations on which  
15 the Council may, either generally or in a particular case, request him to  
16 report; but no appointed person shall interfere with the giving of any  
17 instruction or the holding of any examination.

18                   (3) On the receipt of a report made pursuant to this section, the  
19 Council may, if it thinks fit and shall, if so required by the Board, send a copy  
20 of the report to the person appearing to the Council to be in charge of the  
21 institution or responsible for the examination to which the report relates,  
22 requesting that person to make observation on the report to the Council  
23 within such period as may be specified in the request, not being less than one  
24 month from the date of the request.

25                   PART V - PROFESSIONAL DISCIPLINE

26                   17.-(1) There is established a body to be known as the  
27 Pharmaceutical Technologists and Pharmacy Technicians Disciplinary  
28 Tribunal (in this act referred to as "the Tribunal") which shall be charged  
29 with the duty of considering and determining any case referred to it by the  
30 Investigation Panel established by subsection (3) this section and any other

Establishment of  
Disciplinary  
Tribunal and  
Investigating  
Panel

1 case of which the Tribunal has cognizance under the following provisions of  
2 this Act.

3 (2) The Tribunal shall consist of the Chairman and 2 other members of  
4 the Council, 4 members of the Board from different geo-political zones and 1  
5 Practicing Legal practitioner of at least 10 years post call who is to serve in  
6 advisory capacity.

7 (3) There shall be a body, to be known as the Pharmaceutical  
8 Technologists and Pharmacy Technicians Investigating Panel (in this Act  
9 referred to as "the Panel") which shall be charged with the duty of-

10 (a) conducting preliminary investigation into any case where it is  
11 alleged that a member of the profession has misbehaved in his capacity as a  
12 member or should for any other reason be the subject of proceedings before the  
13 Tribunal.

14 (b) deciding whether the case should be referred to the Tribunal; and

15 (c) submitting a report on any action taken in the past to the Tribunal.

16 (4) The panel shall be appointed by the Council and shall consist of 2  
17 members of the Council, 3 members of the Board who are not members of the  
18 Council, and 1 practicing legal practitioner of at least 2 years post call who is to  
19 serve in advisory capacity.

20 (5) The provision of Schedule 3 to this Act, shall, so far as it is  
21 applicable to the Tribunal and the Panel respectively, have effect with respect  
22 to those bodies.

23 *(Schedule 3)*

24 (6) The Council may make rules not inconsistent with this Act as to  
25 acts which constitute professional misconduct.

26 **18.-(1) Where-**

27 (a) a member of the Board is judged by the Tribunal to be guilty of  
28 infamous conduct or professional misconduct;

29 (b) a member is convicted of a criminal offence by any Court or  
30 Tribunal in Nigeria or elsewhere having power to award punishment for an

Penalties for  
unprofessional  
conducts, etc.

1 offence (whether or not punishable with imprisonment) which in the opinion  
2 of the Tribunals is incompatible with the status of a member of the  
3 profession;

4 (c) a member's conduct after registration has not been satisfactory;

5 (d) a member's performance falls below established standards set  
6 by the Board;

7 (e) a member's behavior is deemed unethical to this profession as a  
8 Pharmaceutical Technologist or Pharmacy Technician; or

9 (f) the Tribunal is satisfied that a person's name has been  
10 fraudulently registered; the Tribunal may give a direction reprimanding that  
11 person or ordering the registrar to strike his name off the relevant part of the  
12 register.

13 (2) The Tribunal may defer or further defer its decision to give a  
14 direction under subsection (1) until a subsequent meeting of the Tribunal;  
15 but-

16 (a) no decision shall be deferred under this subsection for periods  
17 exceeding one year in the aggregate; and

18 (b) no person shall be a member of the Tribunal for the purpose of  
19 reaching a decision which has been deferred or further deferred unless he  
20 was present as a member of the Tribunal when the decision was deferred.

21 (3) For the purpose of subsection (1) (b) of this section, a person  
22 shall be treated as convicted, unless the conviction stands at time when no  
23 appeal or further appeal is pending or may (without extension of time ) be  
24 brought in connection with the conviction.

25 (4) When the Tribunal gives a direction under subsection (1) of this  
26 section the Tribunal shall cause notice of the direction to be served on the  
27 person to whom it relates.

28 (5) A person to whom a direction relates may, at any time within 28  
29 days from the date of service on him of notice of the direction, appeal against  
30 the direction to the Court of Appeal and the Tribunal may appear as

1 respondent to the appeal and for the purpose of enabling direction to be given as  
2 to the costs of the appeal and of proceedings before the Court of Appeal, the  
3 Tribunal shall be deemed to be a party whether or not it appears on the hearing  
4 of the appeal.

5 (6) A direction of the Tribunal under subsection (1) of this section  
6 shall take effect where-

7 (a) no appeal under this section is brought against the direction within  
8 the time specified in this Act for an appeal, on the expiration of that time;

9 (b) an appeal is brought and is withdrawn or struck out for want of  
10 prosecution, on the withdrawal or striking out of the appeal; or

11 (c) an appeal is brought and is not withdrawn or struck out, if and  
12 when the appeal is dismissed.

13 (7) A member whose name is struck off the register in pursuance of a  
14 direction of the Tribunal under this section may be re-registered if his conduct  
15 is satisfactory to the Board and the Council so directs in writing except where  
16 the member has been convicted of a criminal offence.

17 **PART VI - OFFENCES**

Offences

18 **19.-(1)** Any person who, for the purpose of procuring the registration  
19 of any name qualification or other matter-

20 (a) makes a statement which he believes to be false in a material  
21 particular; or

22 (b) recklessly makes a statement which is false in a particular;  
23 commits an offence.

24 (2) If on or after the commencement of this Act, a person who is not a  
25 member of the Board practice or holds himself out to practice for or in  
26 expectation of reward or takes or uses any name, title, addition or description  
27 implying that he is a member of the Board, he commits an offence.

28 (3) A person who practice the profession without a qualifying  
29 Certificate or Diploma and without being Licensed by the Board in addition to  
30 such qualification commits an offence and is liable on conviction to-

- 1 (a) a fine of an amount not less than N100,000 for a first offender;  
2 (b) imprisonment for a term not exceeding 2 years; or  
3 (c) both.

4 (4) Subsection (2) of this section shall not apply in respect of  
5 anything done by a person falling within section 20 subsection (1) of this  
6 Act-

7 (a) during the period of 6 months mentioned in section 20 of this  
8 Act; and

9 (b) if within that period he duly applies for membership of the  
10 Board then, unless within that period he is notified that his application has  
11 not been approved, this subsection shall not apply in respect of anything  
12 done by him between the end of that period and the date on which he is  
13 registered or is notified.

14 (5) If the Registrar or any other person employed by or on behalf of  
15 the Board willfully makes any falsification in any matter relating to the  
16 register, he or she has committed an offence.

17 (6) A person who commits an offence under this section, except as  
18 provided in subsection (3) of this section, is liable on conviction to-

- 19 (a) a fine of any amount not exceeding N150,000;  
20 (b) to imprisonment for a term not exceeding 2 year; or  
21 (c) both.

22 (7) Where an offence under this section which has been committed  
23 by a body corporate is proved to have been committed with the consent or  
24 connivance of or to be attributable to any neglect on the part of any director,  
25 manager, secretary or any other similar officer of the body corporate or any  
26 person purporting to act in that capacity, he or she as well as the body  
27 corporate, shall be deemed to have committed the offence and is liable on  
28 conviction to be punished accordingly.

29 PART VII - MISCELLANEOUS

30 20.-(1) At the commencement of this Act-

Application of  
this Act to  
unregistered  
practitioners

1 (a) a person who holds a Certificate or Diploma in Pharmaceutical  
2 Technology or Pharmacy Techniques from an Institution either in Nigeria or  
3 abroad approved pursuant to section 15 (1) of this Act, shall, within 6 months of  
4 the commencement of this Act, apply to be licensed by the Board in order to be  
5 allowed to practice the profession in Nigeria;

6 (b) a person who has obtained a qualification in a cadre in the health  
7 sector that is related to the profession and listed among the cadre that may be  
8 allowed to practice the profession shall apply to the Board for a license and the  
9 Board may grant the person license if-

10 (i) is trained for 12 months in a workshop organized by the board; and

11 (ii) he passes the qualifying exam at the conclusion of the workshop.

12 (2) The Board shall from time to time review the list of cadre in the  
13 health sector that is related to the profession pursuant to the provisions of  
14 subsection (1) (b) of this section and make rules stopping the application of the  
15 provision of that subsection.

When a person  
is deemed to  
practice as a  
members of the  
Profession

16 - (1) A person shall be deemed to practice the profession if for  
17 consideration of remuneration received or to be received, he, and either by  
18 himself or in partnership with any person-

19 (a) engages himself in the practice of the profession or holds himself  
20 out to the public as a member of the profession;

21 (b) renders professional service or assistance in or about matters of  
22 principle or detail relating to the profession; or

23 (c) he renders any other services which may be regulations made by  
24 the Council, with the approval of the Minister be designated as service  
25 constituting practice as a professional.

Rules as to  
Articles, etc

26 22.-(1) The Council may make rules for-

27 (a) registered members of the Board to train suitable persons as  
28 Pharmaceutical Technologists and Pharmacy Technicians;

29 (b) the supervision and regulation of the engagement, training and  
30 transfer of persons trained pursuant to subparagraph (a).

1 (2) The Council may make rules-

2 (a) prescribing the form of license to practice to be issued annually

3 or if the council deems fit, by endorsement on an existing license;

4 (b) prescribing the fees to be paid by members of the profession;

5 (c) restricting the right to practice in default of payment of the

6 amount of the annual subscription where the default continues for a longer

7 period than that prescribed in the rules.

8 (3) The Chairman of the Council may direct that rules made under

9 this section be published in the gazette.

10 23. The Council shall be free to award honorary membership of the

Honorary  
Membership

11 Board to persons whom it considers worthy of the honour, on terms and

12 conditions prescribed by the council and approved by the Board in the

13 general meeting.

14 24. The Board shall-

Provision of  
Library facilities,  
etc

15 (a) Provide and maintain a library comprising of books and

16 publication for the advancement of knowledge of the profession and other

17 books and publications as the Council may think necessary for the purpose;

18 and

19 (b) encourage research into the profession and allied subjects as

20 may be relevant to the profession to the extent that the Council may from

21 time to time consider necessary.

22 25. The Minister may give to the Council directions of a general

Power of the  
Minister to give  
directions to the  
Council

23 nature relating either generally to particular matters (but not to an individual

24 matter or case) with regard to the exercise of its functions by the Council and

25 it shall be the duty of the Council to comply with the directives.

26 26.-(1) Any regulations made under this Act shall be sent to the

Regulations

27 Minister not later than 7 days before they are published in the Gazette.

28 (2) Rules made for the purpose of this act shall be subject to

29 confirmation by the Board at its next general meeting or at any special

30 meeting of the Board convened for the purpose and if then annulled, shall

1 cease to have effect on the day after the date of annulment, but without  
2 prejudice to anything done in pursuance or intended pursuance of the rules.

3 (3) The Board may with the approval of the Minister make regulations  
4 directing the method and manner in which it shall carry out its business under  
5 this Act.

Transfer o the  
Board of certain  
assets and  
liabilities

6 **27.-(1)** On the commencement of this Act-

7 (a) all necessary assets for the starting up of operation by the Board  
8 shall be jointly provided by the Federal Ministry of Health, States Ministries of  
9 Health, National Association of Pharmaceutical Technologists and Pharmacy  
10 Technicians of Nigeria, and the Medical and Health Worker Union of Nigeria;  
11 and

12 (b) the provision of schedules 5 to this Act shall have effect with  
13 respect to the proportion in which the bodies stated in subsection (1) of this  
14 section shall provide the necessary assets for the take-off of the Board.

15 *(Schedule 5)*

Interpretation

16 **28.** In this Act unless the context otherwise requires-

17 "Association" means the National Association of Pharmaceutical  
18 Technologists and Pharmacy Technicians of Nigeria (NAPPTON) registered  
19 under the Companies and Allied Matter Act;

20 "Board" means the Board of Pharmaceutical Technologists and Pharmacy  
21 Technicians established under section 1 of this Bill;

22 "Council" means the Council established as the governing body of the board  
23 under section 5 of this Bill;

24 "Tribunal" means the Board Disciplinary Tribunal established under section 17  
25 subsections (1) of this Bill;

26 "Enrolled" in relation to a fellow, member, associate and affiliate member  
27 means registered in the part of the register relating to fellow, members or  
28 affiliate member as the case may be;

29 "Fees" includes annual subscription;

1 "Member of the Board" means a register member of the Board and includes  
2 the Chairman;

3 "Minister" means the Minister charged with the responsibility for matters  
4 relating to Health;

5 "NAFDAC Act" means National Agency for Food and Drug Administration  
6 and Control Act Cap N1 Laws of the Federation of Nigeria, 2004;

7 "Panel" means the Board's Investigating Panel established under section 17;

8 "Profession" means the profession of Pharmaceutical Technologies and  
9 Pharmacy Techniques;

10 "Pharmacy Technician" means a person who has been trained in Institutions  
11 recognized by the board including Schools or Colleges of Health  
12 Technology, Teaching Hospitals and Polytechnics and has obtained a  
13 Certificate or Diploma in Pharmacy Technique or Pharmaceutical  
14 Technology and by virtue of the qualification can mix, compound, prepare,  
15 dispense and supply non-scheduled Pharmaceutical products, and Primary  
16 Health care essential drugs;

17 "Pharmaceutical Technologist" means a person who is first, a Pharmacy  
18 Technician and has in addition to that, attained advance training and a  
19 qualification of Higher National Diploma or its equivalent in  
20 Pharmaceutical Technology;

21 "President" means the President and Commander-in-Chief of the Armed  
22 Forces of the Federal Republic of Nigeria;

23 "Principal Officers of the Council" means the Chairman, Deputy Chairman,  
24 Vice Chairman, Registrar and Zonal Deputy Registrars of the Board;

25 "Register" means the register containing the names and particulars of  
26 qualified members of the Board maintained pursuant to section 10 of this  
27 Bill;

28 "registered member" means a member of the National Association of  
29 Pharmaceutical Technologists and Pharmacy Technicians of Nigeria whose  
30 name has been registered by the Pharmaceutical Technologists and

1 Pharmacy Technicians Board; and  
2 "Registrar" means the registrar of the Pharmaceutical Technologists and  
3 Pharmacy Technicians Board under section 10 of this Bill.

Short Title

4 **29.** This Bill may be cited as the Pharmaceutical Technologists and  
5 Pharmacy Technicians Regulatory Board of Nigeria Bill, 2017.

SCHEDULES

SCHEDULES 1

PHARMACEUTICAL TECHNOLOGISTS AND PHARMACY TECHNICIANS REGULATORY

BOARD OF NIGERIA

Registration Form

Enrolment number:.....Date:.....

1. Name of member Mr. / Mrs. / Miss:.....
2. Date of Birth:.....
3. Year of Qualification:.....
4. School Attended:.....
5. State of Origin:.....
6. Present Station:.....
7. Home Address:.....
8. Official Address:.....
9. Nationality:.....
10. Religion:.....
11. A. Next of Kin:.....
- 11 B. Address of Next of Kin:.....
12. Referees:.....
  - (a) Name:.....  
Address:.....  
Signature:.....
  - (b) Name:.....  
Address:.....  
Signature:.....
13. I undertakes that the above information is true.

.....

Signature of Member

FOR OFFICIAL USE ONLY

Name of State Chairman of NAPPTON:.....

Name of State Secretary NAPPTON:.....

Approved or not Approved:.....

.....

Chairman

Registrar

SCHEDULES 2

Section .....

PHARMACEUTICAL TECHNOLOGISTS AND PHARMACY TECHNICIANS REGULATORY

BOARD OF NIGERIA

*License to Practice*

License No:.....

This is to certify that

Mr./Mrs./Miss./Chief:.....

is licensed to practice as a:

(a) Pharmaceutical Technologist

(b) Pharmacy Technician

This license is given for the period of ..... to .....

.....

Chairman

Registrar

SCHEDULE 3

SUPPLEMENTARY PROVISIONS IN RELATION TO THE COUNCIL

1.-(1) Subject to the provision of this paragraph, every elected principal officer of the Council shall hold office for one year in the first instance and shall be eligible for reelection for a further term of one year in the same office beginning with the date of this appointment election.

(2) An officer of the Board who ceases to be a member shall, if he is also a member of the Council, cease to hold office in the Council.

(3) An appointed member may, by notice in writing under his hand addressed to the Minister resign his office.

1 (4) A person who retires from or otherwise ceases to be a member  
2 of the Council shall be eligible to be re-elected or re-appointed a member of  
3 the Council.

4 (5) Where a member vacates his elected office for any reason, the  
5 council shall, if the unexpired period of his term of office warrants the filling  
6 of the vacancy, notify the Minister to recommend an appropriate member to  
7 the President for appointment for the unexpired term.

8 (6) A person appointed pursuant to subsection (5) may on  
9 completion of the unexpired term, be re-appointed if he so qualifies.

10 (7) The Council shall be constituted a month before the end of an  
11 existing term of office.

12 *Powers of Council*

13 2.-(1) The Council shall have power to manage the Board's  
14 business and in particular-

15 (a) do anything which in its opinion is calculated to facilitate the  
16 activities of the Board;

17 (b) exercise all powers of the Board to borrow money, within  
18 Nigeria or overseas, subject to the banking laws of the country, mortgage or  
19 charge its undertaking and property or any part thereof and to issue off the  
20 debentures, debenture stocks, and other securities whether outright or as  
21 security for any debt, liability or obligation of the Board;

22 (c) set up as soon as practicable the general meeting, an executive  
23 committee of Council which shall meet regularly and carry out the normal  
24 business of Council between the regular meetings of Council; and

25 (d) may at any time establish a branch of the Board in any locality  
26 within the country.

27 (2) The Council shall have power to make, alter and repeal any  
28 regulations as it may deem necessary for the proper conducts and  
29 management of the Board.

30 (3) The Council shall adopt means as it deems sufficient to bring to

1 the notice of the Board and all its members, regulations, alterations and repeals  
2 made under the powers conferred by this Act and no regulations shall be  
3 inconsistent with, affect or repeal anything contained in this Act or constitute  
4 an amendment of or addition to this Act, and where a regulation is inconsistent  
5 with the provisions of this Act, that regulation shall be void to the extent of its  
6 inconsistency.

7 *Proceedings of the Council*

8 3.-(1) Subject to the provisions of this Act, and section 27 of the  
9 interpretation Act, the Council may in the name of the Board make standing  
10 orders regulating the proceedings of the Board or of the Council, and in the  
11 exercise of its power under this Act may set up committees in the general  
12 interest of the Board and make standing orders in that regard.

13 (2) The standing order shall provide for decisions to be taken by a  
14 majority of the members and in the event of equality of votes, the Chairman  
15 shall have a second casting vote.

16 (3) Standing orders made for a committee shall be for the committee  
17 to report back to the Council on any matter referred to it by the Council.

18 (4) The quorum of the Council shall be five and the quorum of the  
19 committee of the Council shall be fixed by the Council.

20 *Meeting of the Council*

21 4.-(1) Subject to the provisions of any standing orders of the Council,  
22 the Council shall meet biannually or whenever it is summoned by the  
23 Chairman and if the Chairman is required to do so notice in writing given to him  
24 by not less than five other members of the Council, he shall summon a meeting  
25 of the Council to be held fourteen days from the date on which the notice is  
26 given.

27 (2) At any meeting of the Council, the Chairman or in his absence the  
28 Deputy Chairman shall preside; but if both of them are absent, the Vice  
29 Chairman shall preside.

30 (3) Where the Council desires to obtain the advice of any person on a

1 particular matter, the Council may co-opt him as a member for a period as  
2 the Council deems fit; but a person who is a member by virtue of this sub-  
3 paragraph, shall not count towards a quorum.

4 (4) Notwithstanding anything in the foregoing provisions of this  
5 paragraph, the first meeting of the Council shall be convened after  
6 consultation with the Minister.

7 *Committees*

8 5.-(1) The Council may appoint one or more regular or ad-hoc  
9 committees to assist in carrying out, on behalf of the Board or Council such  
10 functions as the Council may determine.

11 (2) A committee appointed under this paragraph shall consist of the  
12 number of persons determined by the Council of whom not more than one  
13 third may be persons who are not members of the Council.

14 (3) A person other than a member of the Council shall hold office  
15 on the committees in accordance with the terms of the letter by which he is  
16 appointed.

17 (5) A decision of a committee shall be of no effect until it is  
18 confirmed by the Council.

19 6.-(1) The fixing of the seal of the Board shall be authenticated by  
20 the signature of the Chairman or of some other members of the Council  
21 authorized generally or specially by the Board to act for that purpose.

22 (2) Any contract or instrument which, if made or executed by a  
23 person not being body corporate, will not be required to be under seal, may  
24 be made or executed on behalf of the Board or of the Council, as the case  
25 may require, by any person generally or specially authorized to act for that  
26 purpose by the Council.

27 (3) Any document purporting to be a document duly executed  
28 under the seal of the Board shall be received and shall, unless the contrary is  
29 proved, be deemed to be so executed.

30 7. The validity of any proceedings of the Board, Council or a

1 committee shall not be adversely affected by any vacancy in membership or  
2 any defect in the appointment of a member of the Board, Council or of a person  
3 to serve on a committee or by reason that a person not entitled to do so took part  
4 in the proceedings.

5 8. Any member of the Board or of the Council, and any person  
6 holding office on a committee of the Council, who has a personal interest in any  
7 contract or arrangement entered into or proposed to be considered by the  
8 Council on behalf of the Board shall immediately disclose his interest to the  
9 President of the Council and shall not vote on any question relating to the  
10 contract or arrangement.

11 9. A person shall not by any reason only of the membership of the  
12 Board be treated as holding an office in the Public Service of the Federation.

13 SCHEDULE 4

14 Section:.....

15 SUPPLEMENTARY PROVISION RELATING TO THE DISCIPLINARY TRIBUNAL  
16 AND INVESTIGATING PANEL.

17 *The Disciplinary Tribunal*

18 1. The quorum of the Tribunal shall be 5 members

19  
20 2.-(1) The Attorney-General of the Federation may make rules as to  
21 the selection of members of the Tribunal for the purpose of any proceeding, and  
22 as to the procedure to be followed and the rules of the evidence to be observed  
23 in proceedings before the Tribunal.

24 (2) The rules shall provide-

25 (a) for securing that notice of the proceeding shall be given at such  
26 time and in such manner as may be specified by the rules to a person who is the  
27 subject who is the subject of a proceeding;

28 (b) For determining who in addition to the person aforesaid, shall be a  
29 party to the proceedings;

30 (c) for securing that any party to the proceedings shall, if he so

1 requests, be entitled to be heard by the Disciplinary Tribunal;

2 (d) for securing that any party to the proceedings may be  
3 represented by a legal practitioner;

4 (e) Subject to the provisions of section 18 (5) of this Act, as to the  
5 costs of proceedings before the Tribunal;

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

11 (g) for publishing in the Gazette, notice of any direction of the  
12 Tribunal which has taken effect providing that a person's name shall be  
13 struck off a register.

14 3. For the purpose of any proceedings before the Tribunal, any  
15 member of the Tribunal may administer oaths and any party to the  
16 proceedings may issue out of the registry of the High Court writs of  
17 subpoena ad testificandum or duces tecum; but no person appearing before  
18 the Tribunal shall be compelled-

19 (a) to make any statement before the Tribunal tending to  
20 incriminate himself; or

21 (b) to produce any document under such a writ which he could not  
22 be compelled to produce at the trial of an action.

23 4.-(1) For the purpose of advising the Tribunal on questions of Law  
24 arising in proceedings before it, there shall in all such proceedings be an  
25 assessor to the Tribunal who shall be appointed by the Council on the  
26 nomination of the Attorney- General of the Federation and shall be a legal  
27 practitioner of not less than 10 years standing.

28 (2) The Attorney-General of the Federation shall make rules as to  
29 the functions of the assessors appointed under this paragraph and in  
30 particular the rules shall contain provisions for securing-

1 (a) that where an assessor advises the Tribunal on any question of law  
2 as to evidence, procedure or any other matter specified by the rules, he shall do  
3 so in the presence of every party or person representing a party to the  
4 proceedings who appears at the proceeding or, if the advice is tendered while  
5 the Tribunal is deliberating in private, that every such party or person shall be  
6 informed of what advice the assessor has tendered; and

7 (b) that every party or person as mentioned in paragraph (a) shall be  
8 informed if in any case the Tribunal does not accept the advice of the assessor  
9 on the question.

10 (3) Any assessor may be appointed under this paragraph, either  
11 generally or for a particular proceeding or class of proceedings and shall hold  
12 and vacate office in accordance with the terms of the letter by which he is  
13 appointed.

14 *The Panel*

15 5. The quorum of the Panel shall be three.

16 6.-(1) the panel may, at any of its meeting attended by its members  
17 make standing orders with respect to the Panel.

18 (2) the Panel may regulates its own procedure subject to the  
19 provisions of any standing orders made pursuant to subparagraph (1).

20 *Miscellaneous*

21 7.-(1) A person who has ceased to be a member of the Tribunal or the  
22 Panel shall be eligible for re-appointment as a member of the Tribunal or Panel,  
23 as the case may be.

24 (2) A person may, if otherwise eligible, be a member of both the  
25 Tribunal and the Panel; but no person who acted as a member of the Panel with  
26 respect to any case shall act as a member of the Tribunal with respect to that  
27 case.

28 8. The Tribunal or the panel may act notwithstanding any vacancy in  
29 its membership; and the proceedings of either body shall not be invalidated by  
30 any irregularity in the appointment if a member of that body or (subject to

1 paragraph 7 (2) of this schedule) by reason of the fact any person who was  
2 not entitled to do so took part in the proceedings of that body.

3 9. The Board shall defray the cost of serving any document  
4 authorised or required by virtue of this Act to be served on the Tribunal or the  
5 Panel.

6 10. Any expenses of the Tribunal or the Panel shall be defrayed by  
7 the Board.

8 SCHEDULE 5

9 Subsection.....

10 PROPORTIONAL PROVISION OF ASSETS NECESSARY FOR THE TAKE-OFF  
11 OF THE BOARD

12 *Transfer of Assets and liabilities.*

13 1. The proportion in which the assets necessary for the take-off of  
14 the Board shall be provided shall be as follows-

15 (a) the Federal Government shall provide 25% of the assets;

16 (b) the 36 states of the federation shall provide 50% of the assets in  
17 equal proportion among the states;

18 (c) National Association of Pharmaceutical Technologists and  
19 Pharmacy Technicians of Nigeria shall provide 10% of the assets; and

20 (d) Medical and Health Workers' Union of Nigeria shall provide  
21 15% of the assets.

22 *Commencement of Functions etc.*

23 2.-(1) The Council shall be constituted at the commencement of  
24 this Act and at its first meeting and the Council shall fix a date (not later than  
25 six months after the commencement of this Act) for the first biannual  
26 general meeting of the Council.

27 (2) The members of the Association shall be deemed to be  
28 members of the Board until the date determined in pursuance of sub-  
29 paragraph (1) when the Board shall have its first biannual meeting and they  
30 shall cease to be members unless they are licensed to practice the profession

- 1 in accordance to the provisions of this Act and the Rules made by the Council.
- 2 (3) Any person who, immediately before the commencement of this
- 3 Act held office as the President, Deputy President, and Secretary General of the
- 4 Association shall on commencement of this Act become the Chairman, Deputy
- 5 Chairman and Vice Chairman of the board; the Registrar of the Board shall be
- 6 appointed from among committed members of the Association on the
- 7 recommendation of the Chairman and shall be deemed to have been appointed
- 8 on the following conditions:
- 9 (a) that the tenure of office at the commencement of the Board shall be
- 10 equivalent with the tenure of office of the Association;
- 11 (b) the date of termination of office shall be the same as the date of
- 12 termination of the existing term of office in the Association; and
- 13 (c) the officials of the Council so appointed shall qualify for
- 14 reappointment only if they are re-elected into the same office in the
- 15 Association.

EXPLANATORY MEMORANDUM

*(This memo does not form part the Bill but is intended to  
explain its purport)*

This Bill seeks to establish the Pharmaceutical Technologists and Pharmacy Technicians Regulatory Board, to among other things:

- (a) determine what standards of knowledge and skill are to be attained by persons seeking to become Pharmaceutical Technologists and Pharmacy Technicians;
- (b) promote the highest standard of competence, practice and conduct among members of the profession; and
- (c) Ensure that determined standards are strictly observed.