

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF SOCIAL WORK PRACTITIONERS AND TO MAKE PROVISIONS, AMONGST OTHER THINGS, FOR MEMBERSHIP AND THE CONTROL OF THE PROFESSION OF SOCIAL WORK, AND FOR RELATED MATTERS, 2017

*Sponsored by Hon. Hon. Sylvester Ogbuaga*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, MEMBERSHIP, FUNCTIONS, AND POWERS OF  
2 THE CHARTERED INSTITUTE OF SOCIAL WORK

3 1. (1) There is established a body to be known as the Institute of  
4 Social Work Practitioners in this Act referred to as "the Institute").

Establishment  
of the Chartered  
Institute of Social  
Work Practitioners

5 (a) The Institute shall be a body corporate:

6 (i) With perpetual succession and a common seal;

7 (ii) May sue and be sued in its corporate name; and

8 (iii) May, subject to the Land Use Act, hold, acquire and dispose of  
9 any property, movable or immovable.

10 2. The Institute is charged with the following functions:

Functions of the  
Institute

11 (a) Determining the standards of knowledge and skill to be attained  
12 by persons seeking to become registered as chartered Social Work  
13 Practitioners (in this Bill referred to as "the Professionals"); and raising the  
14 standards from time to time as circumstances may permit;

15 (b) Securing in accordance with the provisions of this Act, the  
16 establishment and maintenance of Register of corporate members, fellows,  
17 associates, honorary fellows, and the publication of the list of registered  
18 members from time to time;

19 (c) Building Professional capacities and providing professional

1 guidance to members for enhanced service delivery in the chosen area of the  
2 institute professional practice;

3 (d) Creating and advancing consciousness in the professional practice  
4 of Social Work, providing a forum for the interaction of practicing Social Work  
5 Practitioners and collaborating with individuals, groups and corporate bodies  
6 with interest in Social Work practice with the aims of sharing professional and  
7 technical skills, experiences, benefits and research findings for advancement  
8 of professional Social Work;

9 (e) Licensing and providing professional proficiencies and guidance  
10 to members in practice and to persons who shall practice as Social Work  
11 Practitioners;

12 (d) Issuing from time to time code of conduct booklet to serve as  
13 catalyst guiding the professional behavior of the members of the Institute.

14 3. Members of the institute shall be drawn from diverse professions  
15 in areas of Social Work and related matters including Community  
16 Development, Adult Education, Sociology and Psychology;

17 (i) Subject to the provisions of this Act, a person admitted to  
18 membership of the Institute shall possess adequate interest, knowledge and  
19 understanding of Social work and related matters and shall be registered as a  
20 member in any of the following categories:

21 (a) Fellow;

22 (b) Senior Member;

23 (c) Member;

24 (d) Associate Member.

25 (ii) A person registered under this Act as a Member of the Institute  
26 shall be entitled to be enrolled:

27 (a) As a Fellow, if he satisfies the Council that:

28 (i) He is the holder of an approved academic qualification;

29 (ii) He is an Associate member of the Institute for not less than 5 years;

30 (iii) He has attended all Mandatory Continuous Professional

1 programs, seminars and symposia organized by the Institute;

2 (iv) He must also ensure that he/she pays the entire Institute's  
3 annual subscription, dues and levies;

4 (v) has been in continues active practice on their own account as  
5 social work practitioners, employees and or in partnership with other social  
6 workers.

7 (b) As a Senior Member, if he has passed all the stages of the  
8 Institute examination and inducted, is otherwise a fit and proper person to be  
9 enrolled as Senior Member;

10 (c) As an Associate Member, if he is enrolled as a student of the  
11 Institute and has satisfied the Council that his a fit and proper person to be  
12 enrolled as Associate member.

13 (iii) The Institute may register a member as an Honorary Fellow or  
14 Corporate Member;

15 (iv) An Honorary Fellow shall be a person who has been in  
16 continuous employment of a reputable organization as a Social Worker for a  
17 period of not less than 15 years preceding the date of his application or  
18 nomination to the Institute for registration as an honorary fellow or person  
19 who has contributed to human capacity development in the country, and  
20 who is an employer of labor with knowledge of Social Work;

21 (v) Corporate membership shall consist of Ministries,  
22 Departments, Agencies or Companies which:

23 (a) Are in a functional working relationship with the Institute;

24 (b) At the date of application, employ not less than 25 persons;

25 (c) It has been licensed to carry out a business with high corporate  
26 social content in Nigeria in the case of a company;

27 (d) Satisfied any other condition, which the Council may from time  
28 to time approve; and

29 (e) Provided that corporate membership shall be conferred at the  
30 discretion of the Council and that admission shall not confer automatic

1 professional membership of the Institute on any member of the company or  
 2 organization;

3 (vi) A corporate member shall ensure that its employees are registered  
 4 with the Institute to promote ethical standards and self-regulation in social  
 5 work practice;

6 (vii) A person shall, when enrolled or registered, as the case may be,  
 7 receive a certificate in such form as the Council may approve for the purpose;

8 (vii) Every member is required to attend a number of Mandatory  
 9 Training programs as may be specified by the council from time to time which  
 10 shall serve as a prerequisite for upgrading and recertification;

11 (ix) At the commencement of this Act, any person not a member of  
 12 the former Institute who, but for this Act, would have been qualified to apply  
 13 for and obtain membership of the profession, may, within the period of three  
 14 months beginning from the date of commencement of this Act, apply for  
 15 membership of the Institute in such manner as may be prescribed by rules made  
 16 by the Council and if approved, he shall be registered according to his  
 17 qualifications.

Membership  
Privileges

18 4. Persons registered as Fellows and Associates of the Institute shall  
 19 be entitled to use after their names, the (Acronyms) words:

20 (a) "Fellow, Institute of Social Work Practitioners", (FSOW);

21 (b) "Senior Member, Institute of Social Work Practitioners"  
 22 (SMSOW);

23 (c) "Associate, Institute of Social Work Practitioners" (ASOW);

24 (i) A Person registered as a Fellow or Associate of the Institute shall  
 25 have the right to affix a member seal and stamp on every document endorsed by  
 26 or emanating from them;

27 (ii) A Person registered as a Fellow or Associate of the Institute shall  
 28 be awarded a certificate of qualification, practicing certificate, plaque and  
 29 other membership details such form as the Council may approve.

1                   5. It shall be the duty of every registered member of the institute to  
2                   abide by the rules, regulations, code of conduct and other policy established  
3                   by the institute for the purpose of sound practice. Every member of the  
4                   institute shall be bound to further to the best of his ability and judgment the  
5                   objects, purposes and interest of the institution:

Duties of members  
and code of conduct

6                   (a) Every member of the Institute shall subject to sub-section viii  
7                   and ix of this Act, comply with the code of conduct set out by the Council in  
8                   schedule 5 to this Act;

9                   (b) Every member shall also order his conduct as to uphold the  
10                  dignity and reputation of the institute and shall observe the provision of this  
11                  Act and other regulation as may be enacted by the Governing Council.

12                  6. There shall be for the Institute a Governing Council (in this Act  
13                  referred to as "the Council") charged with the administration and general  
14                  management of the Institute:

Governing Council  
of the Institute

15                  (i) The Council shall consist of the following members:

16                  (a) The president of the Institute who shall be the chairman;

17                  (b) The Vice-president of the Institute who shall be the vice-  
18                  chairman;

19                  (c) A representative from the following Ministry, Department and  
20                  Agency(s) not below the rank of a Director:

21                  (i) Federal Ministry of Health;

22                  (ii) Federal Ministry of Youth Development;

23                  (iii) Federal Ministry of Justice (Legal Aid Council);

24                  (iv) Federal Ministry of Women Affairs and Social Development;

25                  (v) Federal Ministry of Education.

26                  (d) One Social Worker to represent institutions involved in training  
27                  of social workers on rotation;

28                  (e) One Social Worker to represent human services NGOs;

29                  (f) one person from Nigerian Labour Congress (NLC) to represent  
30                  public interest;

1 (g) one social worker to represent Public Departments and Agencies  
2 involved in social work services; and

3 (h) The Registrar of the Institute who shall be the Secretary to the  
4 Council.

5 (ii) The supplementary provisions set out in the Schedule to this Act  
6 shall have effect with respect to the proceedings of the Council and the other  
7 matters contained therein;

8 (iii) Subject to sub-section (3) of this section, the Council shall have  
9 capacity to make standing orders for the regulation of its proceedings and  
10 meetings;

11 (iv) Decisions and acts of the Council shall be deemed to be decisions  
12 and acts of the Institute.

Functions of the  
Governing  
Council

13 7. The Governing Council shall:

14 (a) Determine the standards of knowledge and skill of candidates  
15 aspiring to be members of the Institute;

16 (b) Ensure that those admitted into the Institute as members upgrade  
17 their knowledge from time to time through regular attendance of seminars and  
18 workshops and Mandatory Continuous Professional Education Programs  
19 (MCPEP) designed to raise their skills as Social Work practitioners and  
20 experts;

21 (c) Regulate and control the Social Work profession through adequate  
22 screening of prospective desirous candidates who apply (enroll) for  
23 memberships from time to time;

24 (d) Do such other things that in its opinion are necessary to ensure the  
25 effective performance of the functions of the institute under this Act.

The President  
and Vice President  
of the Institute

26 8. There shall be a President and Vice-Presidents of the Institute who  
27 shall be elected at the Annual General Meeting of the Institute:

28 (a) The President shall be the Chairman at meetings of the Institute, so  
29 however that in the event of the death, incapacity or inability for any reason, of  
30 the President, the Vice-President shall act as President for the un-expired

1 portion of the term of office as Chairman, as the case may be, and references  
2 in this Act to the President shall be construed accordingly;

3 (b) The President and the Vice-President respectively shall be  
4 Chairman and Vice-Chairman of the Council of the Institute under this Act;

5 (c) Where the President or the Vice-President ceases to be a  
6 member of the Institute, he shall cease to hold any of the offices designated  
7 under this section.

8 9. The President and members of the Council other than the ex -  
9 officio Members shall hold office for a term of two years in the first instance  
10 from the date of investiture and may be elected or re-appointed for another  
11 term of two years and no more.

Tenure of Office  
and Cessation of  
the Governing  
Council

12 (f) The office of the President or any member of the Council shall  
13 become vacant where:

14 (a) He resigns his office by notice in writing under his hand  
15 addressed to the Registrar of the Institute;

16 (b) He becomes of unsound mind or is incapable of carrying out his  
17 duties due to infirmity of mind or body;

18 (c) He is declared bankrupt by a court of competent jurisdiction;

19 (d) He is found guilty of gross misconduct relating to his duties or  
20 is convicted of a felony or of any offence involving dishonesty, corruption or  
21 embezzlement;

22 (e) In the case of an ex - officio member, he/she ceases to hold the  
23 office on the basis of which he/she became a member of the Council.

24 10. Members of the Council shall be entitled to allowances; travel  
25 expenses and such other benefits as may be determined from time to time by  
26 the Council.

Remuneration  
of Members of  
the Council

27 11. There shall be for the Institute Board of Trustees (IBOT), which  
28 membership shall consist of the promoters of the Institute and such other  
29 person(s) that the Board deemed qualified and which membership shall:

Establishment  
of the Board of  
Trustees

30 (a) Not be subjected to any election;

1 (b) Ensure that in the event of death of a member, the Board shall  
 2 arrange for a successor, but not necessarily from among the council members;  
 3 and

4 (c) The Board shall comprise of:

5 (i) Chairman;

6 (ii) Vice Chairman;

7 (iii) Secretary;

8 (iv) Four (4) Members.

Functions of  
Board of Trustees

9 12.-(a) The Institute Board of Trustees shall bear and determine  
 10 complaints that be brought before it by members (who are not in arrears of their  
 11 subscriptions and (levies) its decision of any issue is not subjected to any  
 12 further debate;

13 (b) The Board shall hold its meeting, from time to time as may be  
 14 scheduled by the chairman of the Board of Trustees;

15 (c) The Board shall act as adviser on issues relating to the activities of  
 16 the Institute;

17 (d) At least a member of the Board of Trustees shall be required to be  
 18 present at the meeting of the governing council;

19 (e) Where disciplinary committee is unable to resolve any matter  
 20 brought before it, it shall refer the matter to the council. In the event that the  
 21 council is unable to resolve same, it shall in turn refer it to Board of Trustees  
 22 and any decision taken on the matter shall be final.

23 PART 11 - STAFF OF THE INSTITUTE

Appointment  
and Duties of  
the Registrar

24 13. The council shall appoint the registrar who shall be the Chief  
 25 Executive Officer (CEO) of the institute for the purpose of this Act.

26 (1) The Registrar shall:

27 (a) Be charged with the general responsibility for matters affecting the  
 28 day-to-day management and operations of the Institute;

29 (b) on the instructions of the President of the Institute or any  
 30 committee of the Institute or the Council, convene and keep minutes of the



1 proceedings at all meetings thereof as the case may be.

2 (c) be responsible to the Council and be responsible for:

3 (i) Taking the minutes of meetings of the Council;

4 (ii) Keeping records and conducting the correspondence of the  
5 Council; and

6 (iii) Issuing notices for the meetings of the Council.

7 (d) Responsible for any other duties or functions as may be  
8 necessary for the effective and efficient running of the Institute.

9 14. The Registrar shall possess such professional qualifications  
10 and cognate experience as the Council may prescribe.

Qualification,  
Function of the  
Registrar, etc.

11 (1) In addition to other duties under this Act, the Registrar shall  
12 prepare and maintain, in accordance with the rules and regulations made by  
13 the Council, a Register of the names, addresses, approved qualifications and  
14 such other qualifications and particulars as may be specified in the rules, of  
15 all persons who are enrolled, in accordance with the provisions of this Act as  
16 Fellows, Full Members, Associate Members, Graduate Members, Student  
17 Members, Honorary Fellows or Corporate Members.

18 (2) The Registrar shall:

19 (a) Correct, in accordance with the Council's directions, any entry  
20 in the Register which the Council directs him to correct as being in the  
21 Council's opinion an entry which was incorrectly made;

22 (b) Make, from time to time, any necessary alterations in the  
23 registered particulars of registered members.

24 (c) Remove from the Register the name of any enrolled or  
25 registered members who has died; and

26 (d) Record the names of Members of the Institute who are in  
27 default for more than six months in the payment of annual subscriptions, and  
28 to take such action in relation thereto (including removal of the names of  
29 defaulters from the Register) as the Council may direct or require.

30 (3) If the Registrar:

1           (a) Sends by post to any enrolled or registered person a registered  
2 letter addressed to him at his enrolled address on the Register, enquiring  
3 whether the enrolled registered particulars relating to him are correct and  
4 receives no reply to the letter within the period of six months from the date of  
5 posting it; and

6           (b) Upon the expiration of that period sends in the like manner to the  
7 person in question a second similar letter and receives no reply to that letter  
8 within three months from the date of posting it, the Registrar may remove the  
9 particulars relating to the person in question from the Register and the Council  
10 may direct the Registrar to restore to the appropriate part of the Register any  
11 particulars removed there from under this subsection.

12           (4) The Registrar shall:

13           (a) Cause the Register to be printed, published and put on sale to  
14 members of the public not later than two years from the commencement of this  
15 Act and thereafter, cause to be printed, published and put on sale as aforesaid,  
16 either a corrected edition of the Register or list of corrections made to the  
17 Register, since it was last printed;

18           (b) Cause a print of each edition of the Register and of each list of the  
19 corrections to be deposited at the principal offices of the Institute;

20           (c) Keep the Register and lists so deposited and made available at all  
21 reasonable times for inspection by members of the public.

22           (d) From time to time appoint such other category of staff or as it may  
23 deem expedient and necessary to assist the Institute in the performance of its  
24 functions under this Act;

25           (e) Pay its employees such remuneration, allowances and other  
26 benefits as may be approved by the Council from time to time; and

27           (f) Make rules relating generally to the conditions of service of  
28 employees of the Institute and without prejudice to the generality of the  
29 foregoing, the rules may provide for the appointment, promotion and

1 disciplinary control of all employees of the Institute as approved by the  
2 council.

3 15. The Council may, on the recommendation of the Registrar  
4 appoint such other staff as it may consider necessary to assist the Registrar in  
5 the discharge of his duties:

Staff Pension

6 (a) The employment of the Registrar and other staff shall be  
7 pensionable, in accordance with the terms and conditions of the Civil  
8 service in the Federal Government of Nigeria.

9 16. Every member, agent, auditor or employee for the time being  
10 of the Council shall be indemnified out of the assets of the Institute against  
11 any liability incurred by him in defending any proceedings, whether civil or  
12 criminal in which judgment is given in his favour or in which he/she is  
13 acquitted, if any such proceedings has been brought against him in his  
14 capacity as such a member, agent, auditor or employee.

Indemnity of  
Members, etc.

#### 15 PART III - FINANCIAL PROVISIONS

16 17. The Council shall establish and maintain a Fund for the  
17 purpose of this Act.

Establishment of  
Fund of the  
Institute

18 (1) There shall be paid into the Fund of the Council:

19 (a) All fees and other moneys payable to the Council in pursuance  
20 of this Act; and

21 (b) Such moneys as may be payable to the Council, whether in the  
22 course of the discharge of its functions or otherwise.

23 (2) There shall be paid out of the Fund of the Council established  
24 pursuant to subsection (1) of this section:

25 (a) The remuneration and allowances of the Registrar and other  
26 employees of the Council;

27 (b) Such reasonable travelling and subsistence allowance of  
28 members of the Council in respect of the time spent on the business of the  
29 Council as the Council may, with the approval of the Council, determine;  
30 and

1           (3) The Council may invest moneys in the fund in any security created  
2 or issued by or on behalf of the Federal Government or in any other securities in  
3 Nigeria approved by the council.

4           (4) The Council may, from time to time, borrow money for the  
5 purposes of the Institute and any interest payable on moneys so borrowed shall  
6 be paid out of the fund.

7           (5) The Council may create as Social Work Practitioners Benevolent  
8 and Educational Fund:

9           (a) The fund shall be managed by the Board of Trustees and a  
10 management committee both to consist of members appointed by the Council;

11           (b) The fund shall provide assistance to indigent or distressed or ill or  
12 incapacitated members of the Institute;

13           (c) The Council may create other funds as it deems fit.

14           (6) Accounts etc.

15 The Council shall keep proper accounts on behalf of the Institute in respect of  
16 each year and proper records in relation to those accounts and the Council shall  
17 cause the accounts to be audited by an auditor and, when audited, the accounts  
18 shall be submitted to the members of the Institute for approval by them at the  
19 meeting of the Institute.

Power to accept  
Gifts

20           18.-(i) The Institute may accept gifts of land, money or other property  
21 upon such terms and conditions, if any, as may be specified by the person or  
22 organization making the gift;

23           (ii) The Council shall not accept any gift if the conditions attached by  
24 the person or organization making the gift are inconsistent with the functions of  
25 the Council or any other law in Nigeria.

Annual Estimates  
and Accounts

26           19.-(i) The Institute shall not later than 1 st October in each financial  
27 year or soon thereafter submit to the Council for approval, its estimate of  
28 revenue and expenditure in respect of the following financial year;

29           (ii) The Institute shall prepare and submit to the Council not later than  
30 31st July in each financial year, a report on its activities during the preceding

1 financial year and the report shall be accompanied by a copy of the audited  
2 accounts of the Institute for ~~that~~ period and of the auditor's report on the  
3 accounts.

4 PART IV - REGISTER ~~AND~~ REGISTRATION OF SOCIAL WORK  
5 PRACTITIONERS

6 20.-(1) The Registrar shall-

Publication of  
Register of  
Membership

7 (a) Cause the contents of the Register of Members to be published  
8 and put on sale and the publication shall be updated annually;

9 (b) Reasonable copies of the Publication shall be deposited at the  
10 principal office of the Institute for the purpose of inspection by members of  
11 the public; and

12 (2) Any edition of the Register published under this section by the  
13 authority of the Registrar or documents purporting to be prints of an edition  
14 so published and of the list of ~~corrections~~ to that edition so published, shall,  
15 without prejudice to any ~~other~~ mode of proof, be admissible in any  
16 proceedings as evidence that any person specified in the publication or  
17 document as being registered was so registered at the date of the edition or of  
18 the list of corrections, as the case may be, and that any person not so  
19 specified was not so registered.

20 21. A person shall be entitled to be registered as a Social Worker if  
21 he:

Registration as  
a Social Worker

22 (a) passes the qualifying examination accepted by the Council and  
23 completed the practical training prescribed by the Institute under this Bill;

24 (b) holds any other qualifications acceptable by the Institute for the  
25 time being; or

26 (c) Qualifies for registration as a member in any of the categories  
27 specified under subsection 2 of section 3 of this Act.

28 (1) An applicant for registration shall, in addition to satisfying  
29 stipulated conditions set and approved by the Council he/she must:

30 (a) Be of good character;

1 (b) Be within the age prescribed under this Act; and

2 (c) Not convicted, in Nigeria or elsewhere, of an offence involving  
3 fraud or dishonesty.

4 (2) The Institute shall, from time to time, publish particulars of  
5 qualifications for the time being accepted by the Council for Registration as a  
6 member (Social Work).

7 (3) The Council may for the purposes of this Act approve-

8 (a) any course of training at an approved institution or location  
9 intended for persons who are seeking to become or are already members and  
10 experts and which the Council considers is designed to confer on any person  
11 completing it sufficient knowledge and skills for admission into the Institute;

12 (b) Any qualification, which, as a result of an examination taken in  
13 conjunction with a course of training approved by the Council under this  
14 section indicates that the candidate has sufficient knowledge and skills for  
15 certification to practice as a Social Worker.

Instructions and  
Examinations  
leading to approved  
qualification

16 22.-(1) The Council is to ensure that its members are kept abreast with  
17 nature of the instructions and examinations given at approved institution or  
18 location(s) to any person attending approved course(s) of training and may  
19 appoint, either from among its own members or otherwise, persons to visit  
20 approved institutions, or to participate in the invigilation such examinations.

21 (2) It shall be the duty of a person appointed under this section to  
22 report to the Council on the sufficiency of the-

23 (a) Instruction given to persons attending approved courses of  
24 training at institutions visited by him; and

25 (b) Examination invigilated by him.

26 (3) The Council may, if it thinks fit, withdraw any approval given  
27 under section 23 of this Act in respect of any course, qualification or  
28 institutions, but before withdrawing such an approval the Council shall-

29 (a) Give notice 2-weeks that it proposes to do so to any person in  
30 Nigeria appearing to the Council to be the person by whom the course is

1 conducted or the qualification is granted or the Institution is controlled, as  
2 the case may be; and

3 (b) Afford each such person an opportunity of making to the  
4 Council representations with regard to the proposal in pursuance of  
5 paragraph (b) of this subsection.

6 PART V - PROFESSIONAL DISCIPLINE

7 23.-(1) There shall be two constituted committees for deciding  
8 disciplinary cases of members of the Institute: the Institute of Social Work  
9 Practitioners Investigating Panel (in this Act referred to as "The  
10 investigating panel"); and the Institute of Social Work Practitioners  
11 Disciplinary and Appeals Tribunal (in this Act referred to as "The  
12 Disciplinary and Appeals Tribunal").

Investigating  
Panel and  
Disciplinary  
Tribunal

13 The investigating panel shall be charged with the following duties of:

14 (a) Conducting a preliminary investigation into any case to the  
15 registry where it is alleged that a member has misbehaved in his capacity as a  
16 professional Social Work, or is (should) for any other reason be the subject  
17 of proceedings before the Disciplinary and Appeals Tribunal;

18 (b) Ascertaining the extent of incrimination of the alleged member  
19 in the case in reference and make a recommendation(s) to the Disciplinary  
20 Tribunal if need be, and

21 (c) An alleged member must be given registry query on the matter  
22 at stake before his/her case be referred to the investigation panel.

23 (2) The Investigation Panel shall be appointed by the Council and  
24 shall consist of three members:

25 (i) a reputed fellow member of a high level of integrity and  
26 objectivity (chairman);

27 (ii) any member of the Institute, not below 5 years of post-  
28 induction experience; and

29 (iii) One legal practitioner who will act as the secretary.

30 (Three registered members of the Institute who are not members of the

1 Council and one legal practitioner who will act as the secretary).

2 (3) The Disciplinary and Appeals Tribunal is a council committee and  
3 shall be charged with the duties of:

4 (a) Considering and ratifying cases, inter alia, referred to it by the  
5 Investigating Panel, established under subsection (1) of this section and any  
6 other case of which the Disciplinary Tribunal has cognizance under the  
7 provisions of this Act.

8 (4) The Disciplinary and Appeals Tribunal shall consist of five  
9 members:

10 (i) A council member as Chairman;

11 (ii) A fellow of the Institute;

12 (iii) A member of the Institute, not below 5 years of post-induction  
13 experience;

14 (iv) A legal Adviser of the Institute; and

15 (v) The Registrar of the Institute as Secretary.

16 (5) The provisions of the Second schedule to this Act shall so far as  
17 applicable to the tribunal and Panel respectively, have effects with respects to  
18 those bodies.

19 (6) The Council may make rules not inconsistent with the provisions  
20 of this Act which constitute professional misconduct for Social Work  
21 Practitioners.

22 24.-(1) Where-

23 (a) A member is adjudged by the Disciplinary and Appeals Tribunal to  
24 be guilty of infamous conduct in any professional respect;

25 (b) A member, is convicted in any court of law having power to award  
26 imprisonment for an offence (whether or not punishable with imprisonment),  
27 which in the opinion of the Tribunal is incompatible with the status of a  
28 member of the Institute;

29 (c) The Disciplinary and Appeals Tribunal is satisfied that the name of  
30 any person has been fraudulently enrolled or registered;



1 (d) The Disciplinary and Appeals Tribunal may, if it thinks fit, give  
2 a direction, reprimanding that person, or ordering the Registrar to strike his  
3 name off the relevant part of the Register.

4 (2) The Disciplinary and Appeals Tribunal may, if it thinks fit,  
5 defer its decision as to the giving of a direction under subsection (1) of this  
6 section until a subsequent meeting of the Disciplinary and Appeals Tribunal,

7 Provided that:

8 (a) No decision shall be deferred under this subsection for any  
9 period exceeding two years in the aggregate; and

10 (b) No person shall be a member of the Disciplinary and Appeals  
11 Tribunal for the purposes of reaching a decision which has been deferred, or  
12 further deferred, unless he was present as a member of the Disciplinary and  
13 Appeals Tribunal when the decision was deferred.

14 (3) For the purposes of subsection (1) (b) of this section, a person  
15 shall not be treated as convicted as therein mentioned, unless there is no  
16 appeal pending or may, without extension of time, be brought in connection  
17 with the conviction.

18 (4) When the Disciplinary and Appeals Tribunal gives a direction  
19 under subsection (1) of this section, the Disciplinary Tribunal shall cause  
20 notice of the direction to be served on the person to whom it relates.

21 (5) The person to whom a direction given under subsection (1) of  
22 this section relates may, at any time within 30 days from the date of service  
23 on him of notice of the direction, appeal against the direction to the Federal  
24 High Court, and the Disciplinary and Appeals Tribunal may appear as  
25 respondent to the appeal and for the purpose of enabling directions to be  
26 given as to the costs of the appeal and of proceedings before the Federal  
27 High Court, the Disciplinary and Appeals Tribunal, shall be deemed to be a  
28 party thereto whether or not it appears on the hearing of the appeal.

29 (6) A direction of the Disciplinary and Appeals Tribunal under  
30 section (1) of this section shall take effect-

1 (a) Where no appeal under this section is brought against the direction  
2 within the time limited for such an appeal, on the expiration of that time;

3 (b) where such an appeal is brought and is withdrawn or struck out for  
4 want of prosecution, on the withdrawal or striking out of the appeal; and

5 (c) Where such an appeal is brought and is not withdrawn or struck out  
6 as aforesaid, if and when the appeal is dismissed, and shall not take effect  
7 except in accordance with the foregoing provisions of this subsection.

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

Penalties and  
Offences

17 25. Any person, who for the purposes of procuring the registration of  
18 any name, qualification or other matter-

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

21 (b) Recklessly makes a statement, which is false in a material  
22 particular,  
23 commits an offence.

#### 24 PART VI - OFFENCES AND PENALTIES

Practicing as a  
Social Worker

25 26. As from the commencement of this Act, any person, not being a  
26 member of the Institute of certified by the Institute as a Social Worker or any  
27 other recognized Institution, who practices as a Social Worker for or in  
28 expectation of reward, or takes or uses any name, title, addition or description  
29 implying that he is in practice as a registered member of the profession of  
30 Social Work, commits an offence.

1                   27. Any person, including the Registrar or any other employee of  
2 the Institute, who willfully makes any falsification in any matter relating to  
3 the Register or with intent to defraud alters any entry in the Register,  
4 commits an offence.

Falsification of  
Register

5                   28.-(1) A person guilty of an offence under this section shall be  
6 liable-

7                   (a) On summary conviction be liable to pay a fine of an amount not  
8 exceeding N250,000;

9                   (b) On conviction or indictment to a fine of an amount not  
10 exceeding N250,000 or to imprisonment for a term not exceeding two years,  
11 or both.

12                   (2) Where an offence under this Act was committed by a body  
13 corporate, the Chief Executive Officer, Director, Manager or Secretary shall  
14 be liable to pay a fine of N200,000 each unless, having regard to the nature of  
15 his functions in that capacity and to all the surrounding circumstances, he  
16 proves that-

17                   (i) The offence was committed without his knowledge, consent or  
18 connivance; and

19                   (ii) He had taken all reasonable precautions and exercised due  
20 diligence to prevent the commission of the offence.

21                   PART VII - MISCELLANEOUS

22                   29. Subject to the foregoing provisions of this section, the Institute  
23 may, subject to the approval of the Council, make rules and regulation or  
24 issue guidelines with respect of the enforcement of any of the provisions of  
25 this Act including-

Regulations,  
Rules and  
Guidelines

26                   (a) Regulation membership registration and keeping of register;

27                   (b) Specifying the fees including any annual subscription, to be  
28 paid to the Institute in respect of the entry of names on the Register and  
29 authorizing the Registrar to refuse to enter a name on the Register until any  
30 fee specified for the entry has been paid; and

1 his term does not exceed six months.

2 4. The foregoing provisions of this Schedule shall be without  
3 prejudice to the provisions of Section 11 of the Interpretation Act which relates  
4 to appointment.

5 5. Any accredited member of a profession who ceases to be such  
6 accredited member shall, if he is also a member of the Council cease to hold his  
7 position on the Council.

8 6. A person who is a member by virtue of his office shall cease to be a  
9 member if he ceases to occupy the particular office.

10 *Proceedings of the Council*

11 7. Subject to the provisions of this Act and section 27 of the  
12 Interpretation Act (providing for decisions of a body to be taken by a majority  
13 of the members of the body and for the Chairman to have a second or casting  
14 vote), the Council may make standing orders regulating the proceedings of the  
15 Council or any committee thereof.

16 8. The Council shall meet at least two times in a year and at such other  
17 times as the Chairman may from time to time determine and in any case, shall  
18 not meet more than four times in a year.

19 9. Every meeting of the Council shall be presided over by the  
20 chairman and if the chairman is unable to attend, a member may be appointed  
21 by the members present to act as chairman for that particular meeting.

22 10. The Quorum for the meeting of the Council shall be any number  
23 above one third of the total number of members of the Council and in the case  
24 of any of its committees shall not be less than half of the members of such  
25 committee.

26 11. Where standing orders made under paragraph 1 of this Part of this  
27 Schedule provide for the Council to co-opt persons who are not members of the  
28 Council, such persons may advise the Council on any matter referred to them  
29 by the Council but shall not be entitled to vote at a meeting of the Council or  
30 count towards a quorum.



- 1                   **19. Any member of the Council and any person holding a position on**  
2   **a committee of the Council who has a personal interest in any contract or**  
3   **arrangement entered into or proposed to be considered by the Council or its**  
4   **committee shall not be present at any deliberation relating to the contract**  
5   **arrangement.**



