

CHARTERED INSTITUTE OF LOGISTICS AND SUPPLY CHAIN
MANAGEMENT BILL, 2018
ARRANGEMENT OF CLAUSE

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A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF LOGISTICS AND SUPPLY CHAIN MANAGEMENT TO BE CHARGED WITH THE RESPONSIBILITY FOR REGISTRATION, DISCIPLINE OF ITS MEMBERS, REGULATE AND CONTROL THE PRACTICE OF LOGISTICS AND SUPPLY CHAIN MANAGEMENT PROFESSION AND FOR RELATED MATTERS, 2018

Sponsored by Hon. Uzoma Nkem Abonta

[] Commencement

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

1 PART I - ESTABLISHMENT OF CHARTERED INSTITUTE OF LOGISTICS
2 AND SUPPLY CHAIN MANAGEMENT, ITS FUNCTIONS, ETC.

3 1.-(1) There is established a body to be known as the Chartered
4 Institute of Logistics and Supply Chain Management (in this Act referred to
5 as "the Institute") which shall be a body corporate under that name and be
6 charged with the general duty of:

Establishment
of the Chartered
Institute of
Logistics and
Supply Chain
Management, of
its functions, etc.

7 (a) determining and reviewing, from time to time, the academic
8 standards, knowledge and skills that shall be attained by persons seeking to
9 qualify as registered members of the Chartered Institute of Logistics and
10 Supply Chain Management (in this Act referred to as "the Professional");

11 (b) ensuring that its members maintain a reputable and high
12 standard of behaviour expected of any professional in Logistics and Supply
13 Chain management in Nigeria and other parts of the world;

14 (c) providing for the training, education and examination of
15 persons desiring to become professional Logistics and Supply Chain
16 management according to the provisions of this Act whether in Nigeria or
17 abroad;

1 (d) regulating the discipline and professional conduct of its members;

2 (e) promoting and projecting the welfare of its members both in
3 Nigeria and abroad;

4 (f) arranging conferences, seminars, symposia and meeting for
5 discussion of supplies and related matters, reading of papers and delivery of
6 lectures, publishing copies of abridgement of papers, books, lectures, records
7 and other memoranda instilling high standard of professional ability and
8 knowledge by means of periodic issue of journals of the Institute and to
9 organize post qualification courses for its members; and

10 (g) performing such functions as are incidental to the objects or as the
11 Council may deem necessary for the attainment of all or any of these objects.

12 (2) The Institute shall have perpetual succession and a common seal
13 which shall be kept in such custody as the Council may, from time to time,
14 authorize.

15 (3) The Institute may sue and be sued in its corporate name and may,
16 subject to the Land Use Act, hold, acquire and dispose of any property movable
17 or immovable.

18 (4) The Institute shall, in accordance with the provisions of this Act,
19 ensure the establishment and maintenance of a register of Doctoral Fellows,
20 Honorary Fellows, Full Members, Associates, Graduates, Affiliate Member
21 and Corporate members of the Institute and the publication of their lists from
22 time to time.

Establishment
and composition
of the governing
council of the
Institute

23 **2.-(1)** There is established for the Institute a Governing Council (in
24 this Act referred to as "the Council") which shall be charged with the
25 responsibility for the administration and general management of the Institute.

26 (2) The Council shall consist of the following members, who are
27 Doctoral Fellows, Fellows and Full Members of the Institute:

28 (a) a President of the Institute, who shall be the Chairman;

29 (b) the two Vice-Presidents of the Institute;

30 (c) 7 corporate members nominated by council:

- 1 (i) not more than 10 co-opted members
- 2 (d) a coordinator from each of the geo-political zones of the
- 3 Federation;
- 4 (e) immediate past President of the Institute;
- 5 (f) a Registrar of the Institute, who shall also be the Secretary of the
- 6 Council.

7 (3) The provisions set out in the First Schedule to this Act shall
8 have effect with respect to the qualifications and tenure of office of members
9 of the Council and other matters therein mentioned.

10 *[First schedule]*

11 3. There shall be for the Institute a President, and two Vice-
12 President, who shall be Full Members, Fellows or Doctoral Fellow of the
13 Institute, to be elected by the Council of Fellow Members at an annual
14 general meeting and hold office each for a term of two years from the date of
15 election and shall not be eligible for re-election after two terms of two years
16 each.

Election of
President and
Vice President
of the Institute

17 4.-(1) A person shall be qualified for election to the office of the
18 President and Vice-President of the Institute if he:

Qualifications
for election of
the President and
Vice President

- 19 (a) is a citizen of Nigeria;
- 20 (b) has attained the age of 40 years;
- 21 (c) has been educated up to at least University or Polytechnic level
22 with a First Degree, Higher National Diploma, professional membership
23 certificates or their equivalent;
- 24 (d) has paid all his dues for five consecutive years immediately
25 preceding the year of election;
- 26 (e) has not been adjudged to be a lunatic or declared to be of
27 unsound mind or adjudged or declared bankrupt; and
- 28 (f) a fellow of the Institute.

29 (2) The President shall preside at the meetings of the Institute but in
30 the event of death, resignation, incapacity or inability for any reason and the

1 President can no longer perform the functions of his office, the first Vice-
2 President shall act in his stead for the unexpired portion of the term of office.

3 (3) The President and the First Vice-President shall respectively be
4 Chairman and Vice Chairman of the Council.

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

Admission to
the Institute and
classes of members

7 **5.-(1)** Subject to the provisions of this Act, a person or body admitted
8 to the Institute shall be registered as a member of the Institute in the category
9 of:

10 (a) Doctoral Fellow;

11 (b) Honorary Fellow/ Fellow;

12 (c) Full Member;

13 (d) Associate Member;

14 (e) Graduate Member;

15 (f) Corporate Member; and

16 (g) Affiliate/Student Member.

17 (2) A person or body accorded by the Council the status of a member
18 shall be enrolled as:

19 (a) a Doctoral Fellow and Fellow, if he is a full member of high
20 professional standing who:

21 (i) has served the Institute and had not less than 10 years experience in
22 a senior Logistics and Supply Chain Management post in a private or public
23 organization at the time of his application or enrollment, or

24 (ii) is not currently engaged in Logistics and Supply Chain but has
25 been employed in a senior management position in private or public
26 organization for not less than 10 years.

27 (b) Full Member if:

28 (i) he has passed all the examinations prescribed by the Council, and
29 has a minimum of five years continuous working experience in Logistics and
30 Supply Chain Management in any private or public organization, or

1 (ii) he is a full member or a foreign Logistics and Supply Chain
2 Management professional body recognized by the Council and his class of
3 the membership is, in the opinion of the Council equivalent to that of
4 membership of the Institute and he has a minimum of five year working
5 experience in any private or public organization in Nigeria, and shall have
6 passed a stipulated examination before enrollment,

7 (iii) he has updated his professional knowledge at least once in a
8 year through the Institute's mandatory proficiency programme, or

9 (iv) he is eligible for election into any position in the Institute and
10 has paid his fees for five consecutive years immediately preceding the year
11 of election.

12 (c) Graduate Member, if he is in possession of requisite academic
13 qualification and has passed all the examinations prescribed by the Council;

14 (d) Associate Member if he is in possession of requisite
15 qualifications from other fields of study as may be determined from time to
16 time by the Council and he shall not be eligible to vote or be voted for at
17 elections of the Institute;

18 (e) Honorary Fellow if he is a person of distinction in the field of
19 logistics and supply chain, customer service, law, marketing, public
20 relations, politics economy, human resources management, engineering or
21 any similar discipline, but he shall not be eligible to vote or be voted for at
22 any election of the Institute;

23 (f) Corporate Member if it is an employer of labour and meets the
24 criteria set by the Council for registration in that category; and

25 (g) Affiliate/Student Member if he is pursuing a course in customer
26 relationship management or customer service management in any
27 institution approved by the Council but:

28 (i) He shall not be eligible to vote or be voted for at elections of the
29 Institute, and

30 (ii) His name shall not appear in the membership register.

1 (3) For the purpose of subsection (2) if of this section, all corporate
2 members shall cause their staff in logistics and supply chain management
3 functions to register with the Institute to foster their ethical standards and self-
4 regulation in the logistics and supply chain management profession.

5 (4) A person who desires to be admitted into the Institute shall make a
6 formal application to the Registrar of the Institute on the appropriate form as
7 shall, from time to time be prescribed by the Council and shall state under what
8 class of membership he seeks for admission.

9 (5) A person applying for membership shall, in addition to evidence of
10 qualification, satisfy the Council that:

11 (a) he is of good character; and

12 (b) he has not been convicted by any court or tribunal in Nigeria or
13 elsewhere of an offense involving fraud or dishonesty, or such other offense as,
14 in the opinion of the Council, would render the applicant unfit to be a member
15 of the Institute.

16 (6) The Registrar shall place before the Council all applications for
17 admission stating in each case whether the applicant is qualified for
18 registration in the class under which he seeks for admission and if not so
19 qualified, whether he qualifies for admission under any other class.

20 (7) Where the Council is satisfied that the person is qualified for
21 admission:

22 (i) under the class for which he applied, the Registrar shall, upon
23 payment of the prescribed fees by the applicant, enroll the person in that class,
24 and issue him a certificate of membership appropriate for that class, and

25 (ii) into another class other than for which he applied, the Registrar
26 shall, upon the person's application amend his application to state the class
27 under which he is qualified and the Registrar shall, after the amendment and
28 upon payment of the prescribed fees by the applicant, register him and issue a
29 certificate of membership appropriate for that class.

30 (8) Doctoral Fellows, Fellows, Full Members and Associates of the

1 Institute shall be entitled to the use after their names the word "Fellow (or
2 Honorary Fellow) of the Chartered Institute of Logistics and Supply Chain
3 Management" respectively or the initials "Dr. before his/her and FCILSM
4 after names, FCILSM", "MCILSM" and "ACILSM."

5 (9) A person shall not be qualified to become a member of Institute
6 unless:

7 (a) He has obtained an approved degree or Higher National
8 Diploma;

9 (b) He has passed the professional examination at the "College of
10 Supply Chain Management" which shall be established and administered by
11 the institute.

12 (10) A holder of the final professional certificate of the Institute
13 shall, after 3 years of graduation, be eligible for a practicing certificate as a
14 "Chartered Logistics and Supply Chain Professional" on satisfying the
15 Institute's requirements by attending two consecutive mandatory
16 professional assessment courses, at least once in a year and the certificate is
17 subject to renewal every year, on a fee to be determined by the Council.

18 PART II - FINANCIAL PROVISIONS

19 6.-(1) There shall be established for the Institute a fund which shall
20 be managed and controlled by the Council. Funds of the
Institute

21 (2) There shall be paid into the Fund established pursuant to
22 subsection (1) of this section:

23 (a) all fees and other monies payable to the Institute;

24 (b) such monies as may be payable to the Institute whether in the
25 course of the discharge of its functions or otherwise; and

26 (c) such monies as may be held by the Institute of Logistics and
27 Supply Chain Management incorporated under the Companies and Allied
28 Matters Act, 1990 (in this Act referred to as "the Incorporated Institute") on
29 its ceasing to exist as provided in this Act.

30 (3) There shall be paid out of the Fund of the Institute:

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

3 (b) the salaries and allowances of the Registrar and other employees
4 of the Institute; and

5 (c) such reasonable travelling and subsistence allowances of
6 members of the Council in respect of the time spent on official duties of the
7 Council, as the Council may determine.

8 (4) Subject to guidelines issued by the Council from time to time, the
9 Institute's funds and assets shall be invested in any bond, bill or other security
10 issued or guaranteed by the Federal Government or the Central Bank of
11 Nigeria.

12 (5) The Council may, from time to time, borrow money for the
13 purposes of the Institute and may mortgage or charge the properties and assets
14 of the Institute or any part thereof and may issue debenture and other securities
15 whether outright or as securities for any debt, liability or obligation of the
16 Institute and any interest or charge payable on monies so borrowed shall be
17 paid out of the Fund of the Institute.

18 (6) The Council shall keep proper accounts on behalf of the Institute
19 in respect of each year and proper records in relation to those accounts to be
20 audited by an auditor and in accordance with the guidelines of the Federation.

21 (7) The auditor, appointed for the purpose of this section, shall not be a
22 member of the Council.

Transfer to the
Institute of certain
properties, etc.

23 7.-(1) As from the commencement of this Act:

24 (a) all assets and liabilities held or incurred immediately before the
25 commencement date, by or on behalf of the Incorporated Institute shall vest in
26 the Institute and be held by it for the purpose of the Institute;

27 (b) the Incorporated Institute shall cease to exist; and

28 (c) subject to subsection (2) of this section, any act, matter or thing
29 made or done by the Incorporated Institute shall be deemed to have been done
30 by the Institute.

1 (2) The provisions of Second Schedule to this Act shall have effect
2 with respect to the matters arising from their transfer by this section to the
3 Institute of the properties of the Incorporated Institute and with respect to
4 other matters mentioned in that Schedule.

5 PART III - APPOINTMENT OF REGISTRAR AND OTHER STAFF AND
6 THEIR DUTIES

7 8.-(1) The Council shall:

Appointment of
Registrar and other
staff and their duties

8 (a) appoint a fit and proper person who shall be a member of the
9 Institute to be the Registrar for the purpose of this Act; and

10 (b) appoint such other persons as the Council may, from time to
11 time, deem necessary to assist the Registrar in the performance of his
12 functions under this Act.

13 (2) A person shall be qualified to be appointed to the office of the
14 Registrar of the institute if he:

15 (a) is a citizen of Nigeria;

16 (b) possesses a relevant qualification from a recognized institution
17 of higher learning;

18 (c) has at least 10 years cognate experience; and

19 (d) possesses professional qualification of:

20 (i) Chartered Institute of Supply Chain Management, United States
21 of America;

22 (ii) Chartered Institute of Supply Chain Management, Ghana;

23 (iii) Chartered Institute of Logistics and Transport, United
24 Kingdom;

25 (iv) Chartered Institute of Purchasing and Supply, United
26 Kingdom;

27 (v) Certified Institute of Warehousing and Materials Management;

28 (vi) Chartered Institute of Logistics and Supply Chain
29 Management, and shall have held position of Deputy Registrar in any
30 recognized institutions.

1 (3) The Registrar shall prepare and maintain, in accordance with rules
2 made by the Council, a register of names, addresses and approved
3 qualifications and of such particulars, as may be specified in the rules, of all
4 persons who are entitled, in accordance with the provisions of this Act, to be
5 registered as members of the profession in the categories of fellows, chartered
6 members, associate members or honorary members and who in the manner
7 prescribed by such rules, apply to be so registered.

8 (4) The register shall consist of six parts one for each class of
9 membership namely:

10 (a) Doctoral Fellow/Fellows/Honorary Fellows;

11 (b) Full Members;

12 (c) Graduate Members;

13 (d) Associate Members;

14 (e) Corporate Members; and

15 (f) Affiliate/Student.

16 (5) Subject to this section, the Council shall make rules with respect to
17 necessary professional forms and keeping of the register and the making of
18 entries of particulars therein:

19 (a) regulating the making of applications for enrolment or
20 registration, as the case may be, and providing for the nature of evidence to be
21 produced in support of applications;

22 (b) providing for the notification to the Registrar by the person to
23 whom any registered particulars concern, of any change in those particulars;

24 (c) authorizing a registered member to have any qualification which is
25 in relation to the relevant division of the profession, for the purpose of this Act;

26 (d) specifying the fees, including annual subscription, to be paid in the
27 Institute; and

28 (e) specifying anything failing to be specified under this section.

29 (6) Any rule for the purpose of subsection (5) (d) of this section shall
30 not come into force until they are confirmed at a special meeting of the Institute

1 convened for the purpose or at the next annual general meeting, as the case
2 may be.

3 (7) The Registrar shall:

4 (a) correct, in accordance with the directions of the Council, any
5 entry in the register which the Council directs him to correct as being in the
6 opinion of the Council an entry which was incorrectly made;

7 (b) make, from time to time, any necessary alteration to the
8 registered particulars of registered persons;

9 (c) delete from the register the name of any registered member who
10 died, or ceased to be a member or any member convicted of professional
11 misconduct; and

12 (d) record the names of members of the Institute who are in default
13 for more than six months in the payment of annual subscriptions and take
14 such action in relation thereto as the Council may direct or require.

15 (8) If the Registrar:

16 (a) sends by post, e-mail, telephone or e-fax to any registered
17 person, a registered letter endorsed to him at his address on the register
18 inquiring whether the registered particulars relating to him are correct and
19 receives no reply to the letter within a period of six months from the date of
20 dispatch; and

21 (b) upon the expiration of that period, sends in like manner to the
22 person in question a second similar letter and receives no reply to that letter
23 within three months from the date of dispatch, the Registrar may remove the
24 particulars relating to the person in question from the register, but the
25 Council may, for a reason which seems to it to be sufficient, direct the
26 Registrar to restore to the appropriate part of the register, any particular
27 deleted there from under this subsection.

28 9.-(1) The Registrar shall:

29 (a) cause the first edition of the register to be printed, published and
30 put on sale to members of the public within one year from the date of

1 commencement of this Act;

2 (b) cause the first and subsequent editions of the register to be
3 distributed to the members of the Institute and members of the public on such
4 terms, as the Council may from time to time decide; and

5 (c) cause a print of each edition of the register and of each list of
6 corrections to be deposited at the principal office of the Institute and the
7 Registrar shall make the register and lists so deposited available at all
8 reasonable times for inspection by members of the public.

9 (2) A document purporting to be a print of an edition of the register
10 published under this section by authority of the Registrar, or edition of a
11 register so published and of the list of corrections to that edition so published,
12 shall (without prejudice to any other mode of proof) be documents read
13 together to prove that a member of the Institute was so registered at the date of
14 the edition or the list of corrections, as the case may be, and that any person not
15 so named was not so registered.

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

Qualification
for appointment
and duties of
Deputy Registrar

21 **10.**-(1) There shall be:

22 (a) a Deputy Registrar.

23 (2) A person shall be qualified to be appointed to the office of the
24 Deputy Registrar if he has made the criteria for the post of the Registrar except
25 that the minimum years of experience required shall be 10 years.

26 (3) The duties of Deputy Registrar shall be assigned to him by the
27 Council through the Registrar from time to time.

28 **PART IV - REGISTRATION OF MEMBERS**

Registration of
Members

29 **11.**-(1) Subject to section 5 of this Act, a person shall be entitled to be
30 registered as a member of the profession if he satisfies the Council that:

1 (a) Immediately before the commencement of this Act, he holds a
2 qualification approved or members of the Institute and has the prescribed
3 post qualification experience;

4 (b) he is by law entitled to practice for all purposes as a
5 procurement practitioner in the Country in which the qualification was
6 granted; and

7 (c) he holds at least one of the qualifications prescribed for the
8 purpose of registration on the register and has complied with the other
9 requirements prescribed under this Act.

10 (2) A person shall be entitled to be registered under this Act if he
11 holds such certificate as approved by the Council.

12 (3) A person shall be entitled to be accredited or apply for direct
13 membership as a member of the Institute if he produces sufficient evidence
14 to the Council that prior to the commencement of this Act he has been in
15 active practice continuously for a period of five years as a logistics and
16 supply chain management professional: provided that his application is
17 sponsored by two members of the Institute who shall have been members for
18 a minimum of five years and the application is made within period
19 prescribed by this Act.

20 (4) An applicant for registration under this Act shall, in addition to
21 evidence of qualification, satisfy the Council that he:

22 (a) is of good character;

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

24 (c) has not been convicted by any court or tribunal in Nigeria or
25 elsewhere for an offence involving fraud or dishonesty.

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

30 (6) Any entry directed to be made in the register under subsection

1 (3) of this section, shall show that the registration is provisional and
2 no entry so made shall be converted to full registration without the consent of
3 the Council signified in writing in that behalf.

4 (7) The Council shall, from time to time, publish, in the Federal
5 Government Gazette, particulars of qualification for the time being accepted
6 for registration under this Act.

7 (8) The Logistics and Supply Chain Management Professionals from
8 abroad who reside in Nigeria and wish to practice shall, within 12 months after
9 the commencement of this Act, seek registration with the Institute to become
10 members.

11 (9) A person shall not be entitled to be appointed or engaged to head
12 any Logistics and Supply Chain Management department of any organization
13 unless he is duly registered as a member of the Institute qualified by
14 examination.

Approval of
qualifications

15 **12.**-(1) The council may approve any qualification for the purposes of
16 this Act and may for that purpose approve:

17 (a) any course of training of any approved institution which is
18 intended for persons who are seeking to become or are already Logistics and
19 Supply Chain Management professionals and which the Council considers
20 relevant to confer on persons completing it, sufficient knowledge and skill for
21 admission to the Institute; and

22 (b) any qualification which, as a result of an examination taken in
23 conjunction with a course of training approved by the Council under this
24 section is granted to candidates reaching a specific standard at the examination
25 indicating in the opinion of the members of the council that the candidates have
26 sufficient knowledge and skill to practice Logistics and Supply Chain
27 Management.

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

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

4 (b) afford such persons or institutions an opportunity to make to the
5 Council, representations with regards to the proposal; and

6 (c) take into consideration any representation made in relation to
7 the proposal in pursuance of paragraph (b) of this subsection.

8 (3) During a period in which the approval of the Council under this
9 section for a course, qualification or institution is withdrawn, the course,
10 qualification or institution shall be treated as having been withdrawn under
11 this section, but the withdrawal of such an approval shall be without
12 prejudice to the registration or eligibility for registration immediately before
13 the approval was withdrawn.

14 (4) The giving or withdrawal of an approval under this section shall
15 have effect from such date, as the execution of the instruction signifying the
16 giving or withdrawal of the approval as the Council may specify in the
17 instrument, and the Council shall:

18 (a) as soon as possible publish a copy of every such instrument so
19 executed in the Federal Government Gazette; and

20 (b) not later than 14 days before its publication, send a copy of
21 every such instrument so executed in the Federal Government Gazette to the
22 Minister.

23 13.-(1)The Council shall keep itself informed of the nature of:

24 (a) the instrument given by an approved institution to persons
25 attending approved course of training; and

26 (b) the examinations as a result of which approved qualifications
27 are obtained, and for the purposes of performing that duty the Council may
28 appoint, either from among its own members or otherwise, persons to visit
29 approved institutions to observe such examination.

30 (2) The Institute shall have powers to accredit any institution of

Supervision of
instruction and
examination
leading to approved
qualifications

1 higher learning offering courses leading to the award of Degrees, Post
2 Graduate Diploma, Higher National Diploma and Diploma in Logistics and
3 Supply Chain Management in order to maintain standard.

4 (3) A person appointed under subsection (1) of this section shall report
5 to the Council on the adequacy of-

6 (a) the instruction given to persons attending approved course of
7 training at institutions visited by him;

8 (b) the examinations conducted in his presence; and

9 (c) any other matter relating to the institutions or examinations which
10 the Council may, either generally or in a particular case, request him to report,
11 but no such person shall interfere with the giving of any instruction or the
12 holding of any examination.

13 (4) On receiving such a report made under this section, the Council
14 may, if it deems fit and if so required by the Institute, send a copy of the report to
15 the person appearing to the Council to be in charge of the institution or
16 responsible for the examination to which the report relates, requesting that
17 person to make observations on the report to the Council within such period as
18 may be specified in the request, not being less than one month beginning with
19 the date of the request.

20 **PART V - PROFESSIONAL DISCIPLINE**

Establishment
of Disciplinary
Tribunal and
Investigating
Panel

21 **14.**-(1) There shall be a body to be known as the Chartered Institute of
22 Logistics and Supply Chain Management Disciplinary Tribunal charged (in
23 this Act referred to as "the Tribunal") charged with the duty of considering and
24 determining all cases referred to it by the Investigating Panel established under
25 subsection (3) of this section, and any other case which the Tribunal takes
26 cognizance under this Act.

27 (2) The Tribunal shall consist of a Chairman and six other members
28 who shall be appointed by the Council from among members of the Institute
29 who are not members of the Council.

30 (3) There shall be a body to be known as the Chartered Institute of

1 Logistics and Supply Chain Management Investigating Panel (in this Act
2 referred to "the Panel") charged with the duties of:

3 (a) conducting a preliminary investigation into any case where it is
4 alleged that a member has committed an act of professional misconduct, or
5 should for any other reason by the subject of proceedings before the
6 Tribunal; and

7 (b) deciding whether the case shall be referred to the Tribunal after
8 affording such a member an opportunity of being heard either personally or
9 by a legal practitioner of his own choice in Nigeria.

10 (4) The Council shall appoint members of the Panel from members
11 of the Institute who are not members of the Council or the Tribunal.

12 (5) A person shall not be appointed as a member of the Tribunal or
13 of the Panel unless such a person is a Full Member, Fellow or Doctoral
14 Fellow of the Institute.

15 (6) The provisions of Third Schedule to this Act shall so far as they
16 are applicable to the Tribunal and Panel, respectively have effect with
17 respect to these bodies.

18 *[Third Schedule]*

19 (7) The Council may, from time to time, make rules consistent with
20 this Act as to acts, conducts or omissions which constitute professional
21 misconduct.

22 **15.-(1) Where:**

23 (a) a person enrolled or registered under this Act is adjudged by the
24 Tribunal to be guilty of infamous conduct in any professional respect;

25 (b) a person enrolled or registered under this Act is convicted by
26 any court in Nigeria or elsewhere having power to impose a term of
27 imprisonment for an offence (whether or not punishable with
28 imprisonment) which in the opinion of the Tribunal is incompatible with the
29 status of a Logistics and Supply Chain Management Professional; or

30 (c) the Tribunal is satisfied that the name of any person has been

Penalties for
professional
misconduct

1 fraudulently enrolled or registered, he shall be guilty of an offence and shall on
2 conviction be liable to a fine of N500,000 and shall be banned for a period not
3 exceeding five years.

4 (2) The Tribunal may, if it deems fit:

5 (a) give a directive reprimanding that person or ordering the Registrar
6 to strike his name off the relevant part of the register; or

7 (b) defer or further defer its decision as to the giving of such directive
8 under this section until a subsequent meeting of the Tribunal but:

9 (i) no decision shall be deferred under this section for periods
10 exceeding one year in the aggregate, and

11 (ii) no person shall be a member of the Tribunal for the purposes of
12 reaching a decision which has been deferred or further deferred unless he was
13 absent as a member of the Tribunal when that decision, was deferred.

14 (3) For the purpose of subsection (1) (b) of this section, a person shall
15 not be treated as convicted unless the conviction stands at a time when no
16 appeal or further appeal is pending or no application for extension of time to
17 appeal is brought in connection with the conviction.

18 (4) When the Tribunal gives a directive under subsection (2) of this
19 section, the Tribunal shall cause notice or the directive to be served on the
20 person to whom it relates.

21 (5) The person to whom a directive given under subsection (2) of this
22 section relates may, at any time within 21 days from the date of service on him
23 or notice of the directive, appeal against the directives to the Federal High
24 Court and the Tribunal may appear as respondent to the appeal and for the
25 purpose or enabling directives to be given as to the costs or the appeal of
26 proceedings before the Federal High Court, the Tribunal shall be deemed to be
27 a party thereto whether or not it appears on the hearing of the appeal.

28 (6) A directive of the Tribunal under this section shall take effect
29 where:

30 (a) no appeal under this section is brought against the directive within

1 the time limited in the appeal;

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

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

7 (7) A person whose name is struck off the register in pursuance of a
8 directive of the Tribunal under this section shall not be entitled to be
9 registered again except in pursuance of a direction on that behalf given by
10 the Federal High Court on the application of that person.

11 (8) A directive under this section for the striking off of a person's
12 name from the register may prohibit an application under this subsection by
13 that person until the expiration of such period from the date of the directive
14 (and where he has recently made such an application from the date of his last
15 application) as may be specified in the directive.

16 PART VI - MISCELLANEOUS

17 **16.**-(1) If a person for the purpose of procuring the registration of Offences
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, is guilty of an offence.

23 (2) If, on or after the commencement date of this Act, a person who
24 is not a member of the Institute practices or holds himself out as a member in
25 expectation of a reward or takes or uses any name, title, addition or
26 description implying that he is a member, he is guilty of an offence.

27 (3) If the Registrar or any other person employed by or on behalf of
28 the Institute willfully makes any falsification in any matter relating to the
29 register, he is guilty of an offence.

30 (4) A person guilty of an offence under this section is liable:

1 (a) on summary conviction to a fine not exceeding N500,000.00;
2 (b) on conviction or indictment to a fine not exceeding N400,000.00
3 or to be banned for a term not exceeding two years, or both such fines and
4 imprisonment.

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

Regulations

12 **17.**-(1) Any regulation made under this Act shall be published in the
13 Federal Government Gazette as soon as they are made, and a copy of the
14 regulations shall be forwarded to the Minister not less than seven days before
15 they are published.

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

Rules as to
practice, etc.

22 **18.**-(1) The Council may make rules:

23 (a) for the training of registered members of the profession or suitable
24 persons in Logistics and Supply Chain Management methods; and

25 (b) For the supervision, regulation, engagement and training of such
26 persons;

27 (c) prescribing the amount and date for payment of the annual
28 subscriptions, and for such purpose, different amounts may be prescribed by
29 the rules according to whether the members of the Institute are a Doctoral
30 Fellow, Fellow Member, Full Member, Graduate Member, Associate Member,

1 Corporate Member or Honorary Fellow Member, Affiliate/Student
2 Members;

3 (d) prescribing the form of license to practice to be issued annually
4 or if the Council deems fit, by endorsement on an existing license;

5 (e) restricting the right to practice as a member of the profession in
6 default of payment of the amount of the annual subscriptions where the
7 default continues for longer than such period as may be prescribed by the
8 rules;

9 (f) restricting the right to practice as a member of the profession if
10 the qualification granted outside Nigeria does not entitle the holder in
11 practice to be completed before a person qualifies for a licence to practice as
12 a member of the profession; and

13 (g) prescribing the period of practical training in the office of a
14 member of the profession in a practice to be completed before a person
15 qualifies for a license to practice as a member of the profession.

16 (2) The rules, when made, shall be published in the Federal
17 Government Gazette.

18 **19.**-(1) The Institute shall:

19 (a) provide and maintain a library comprising books and
20 publications for the advancement of knowledge of Logistics and Supply
21 Chain Management and such other books and publications as the Council
22 may think necessary for the purpose;

23 (b) set up an independent training school known as "College of
24 Supply Chain Management" with separate management from the Institute
25 for training of students to be qualified as Graduate Members or Chartered
26 Members of the Institute in order to maintain expected standard;

27 (c) ensure that the College is been management and financed by a
28 separate management control;

29 (d) accept the final certificates of the College for direct
30 membership into the Institute after payment of membership fee and other

Provisions of
library facilities,
training College
facilities etc.

1 fees as approved by the institute from time to time;

2 (e) induct the College as a Corporate Member of the institute and also
3 receive an annual subscription for the College; and

4 (f) encourage research into Logistics and Supply Chain Management
5 methods and such allied subjects to the extent that the Council may, from time
6 to time, consider necessary.

Interpretation

7 **20.** In this Act:

8 "Council" means the Council established as the governing body of the Institute
9 under Section 2(1) of this Act;

10 "Corporate member" means an employer of labor that qualifies under section 5
11 (1)(f) of this Act;

12 "College" means a training school that trains Students in order to maintain
13 expected standard;

14 "Enrolled" means in relation to a Doctoral Fellow, Fellow, Full Member,
15 Associate, Graduate and Affiliate/Students, as the case may be;

16 "Fees" includes annual subscriptions;

17 "Institute" means The Chartered Institute of Logistics and Supply Chain
18 Management established under section 1 (1) of this Act;

19 "Investigating Panel" means the Chartered Institute of Logistics and Supply
20 Chain Management Investigating Panel established under section 14 (3) of this
21 Act;

22 "Member" means a member of the Institute registered in any of the six classes
23 of membership;

24 "President" means the overall Head of the Council of the Institute;

25 "Chartered Logistics and Supply Chain Professional" means any qualified
26 member or person registered who is into practice or employed by any
27 organization, ministry, corporation and engaged in Logistics and Supply Chain
28 Management under this Act;

29 "Logistics and Supply Chain Management" denotes the general coordination
30 of activities that involve in Logistics and Supply Chain Management; and

1 "Tribunal" means the Chartered Institute of Logistics and Supply Chain
2 Management Disciplinary Tribunal established under section 14 (1) of this
3 Act.

4 21. This Bill may be cited as the Chartered Institute of Logistics Citation
5 and Supply Chain Management Bill, 2018.

6 SCHEDULES

7 FIRST SCHEDULE

8 [Section 2 (3)]

9 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

10 *Qualification and Tenure of Office of Members*

11 1.-(1) Subject to the provisions of this paragraph, a member of the
12 Council shall hold for a period of two years beginning from the date of his
13 appointment or election.

14 (2) Any member of this Institute who ceases to be a member thereof
15 shall if he is also a member of the Council, cease to hold office on the
16 Council.

17 (3) Any elected member of the Council may by notice in writing,
18 under his hand addressed to the President of the Institute resign his office.

19 (4) If for any reason there is a vacation of office by a member and:

20 (a) such member was appointed by the Minister; the Minister shall
21 appoint another fit and proper person to replace such member; or

22 (b) if such member was elected, the Council may if the time
23 between the unexpired portion of the term of office and the annual general
24 meeting of the Institute appears to warrant the filling of the vacancy, co-opt
25 some fit and proper persons.

26 *Power of the Council, etc.*

27 2. The Council shall have power to do anything which in its
28 opinion is calculated to facilitate the carrying on of the activities of the
29 Institute.

1 *Proceeding of the Council*

2 3.-(1) Subject to the provisions of this Act, the Council may in the
3 name of the Institute make standing orders regulating the proceedings of the
4 Institute, the Council or any of their Committees.

5 (2) Standing order shall provide for decisions to be taken by a
6 majority of the members and in the event of equality of votes, the President of
7 the Institute or the Chairman as the case may be, have a second or casting vote.

8 (3) Standing orders made for committee shall provide for committee
9 to report back to the Council on any matter referred to it by the Council.

10 (4) The quorum of the Council shall be 10 and the quorum of a
11 committee of the Council shall be determined by the Council.

12 *Meetings of the Institute*

13 4.-(1) The Council shall convene an annual general meeting of the
14 Institute on the 30th day of October every year after the Logistics and Supply
15 Chain Week (An international event devoted to recognizing the importance of
16 Logistics and Supply Chain Management) or such other day as the Council
17 may, from time to time, appoint so that if the meeting is not held within one year
18 after the previous meeting not more than 15 months shall elapse between the
19 respective dates of the two meetings.

20 (2) A special meeting of the Institute may be convened by the Council
21 at any time, if less than 20 members of the institute are informed by notice in
22 writing addressed to the Registrar of the institute setting out the objects of the
23 proposed meetings, the Chairman of the Council shall overcome a special
24 meeting of the Institute.

25 (3) The quorum of any meeting of the Institute shall be 25 members
26 and that of any special meeting of the Institute shall be 20 members.

27 *Meetings of the Council*

28 5.-(1) Subject to the provisions of any standing order, the Council
29 shall meet whenever it is summoned by the Chairman, and if the Chairman is
30 required to do so by notice in writing given to him by not less than seven other

1 members, he shall summon a meeting of the Council to be held within seven
2 days from the day on which the notice is given.

3 (2) At any meeting of the Council, the Chairman or in his absence,
4 the Vice-Chairmen in their order (first, second) shall preside, but if both are
5 absent, the members present at the meeting shall appoint one of them to
6 preside at the meeting.

7 (3) Where the Council desires to obtain the advice of any person on
8 a particular matter, the Council may co-opt him as a member for such period
9 as the Council deems fit, but a person who is a member by virtue of this sub-
10 paragraph, shall not be entitled to vote at any meeting of the Council and
11 shall not count towards a quorum.

12 (4) Notwithstanding anything in the foregoing provisions of this
13 paragraph, the first meeting of the Council shall be summoned by the
14 Minister who may give such directions as he thinks fit as to the procedure
15 which shall be followed at the meeting.

16 *Meetings of the committees*

17 6.-(1) The Council may appoint one or more committees to carry
18 out on behalf of the Institute or the Council such functions as the Council
19 may determine.

20 (2) A committee appointed under this paragraph shall consist of the
21 number of persons determined by the Council or whom not more than one-
22 thirds may be persons who are not members of the Council and a person
23 other than a member of the Council shall hold office on the committee in
24 accordance with the terms of the instrument by which he is appointed.

25 (3) A decision of a committee of the Council shall be of no effect
26 until it is confirmed by the Council.

27 *Miscellaneous*

28 7.-(1) The fixing of the common seal of the Institute shall be
29 authenticated by the signature of the President or any other member of the

1 Council authorized generally or specially by the Institute to act for that
2 purpose.

3 (2) Any contract or instrument which, if made or executed by a person
4 not being a body corporate would not be required to be under seal, may be
5 executed on behalf of the Institute or the Council, as the case may require, by
6 any person generally or specially authorized to act for that purpose by the
7 Council.

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

11 8. The validity of any proceeding of the Institute or the Council or of a
12 committee of the Council shall not be adversely affected by any vacancy in
13 membership, or by any defect in the appointment of a member of the Institute
14 or of the Council or of a person to serve on the committee or by reason that the
15 person is not entitled to do so took part in the proceedings.

16 9. Any member of the Institute or Council, and any person holding
17 office on a Committee of the Council, who has a personal interest in any
18 contractor arrangement entered into or proposed to be considered by the
19 Council or a committee thereof, shall forthwith disclose his interest to the
20 President or Council, as the case may be, and shall not vote on any question
21 relating to the contract or arrangement.

22 SECOND SCHEDULE

23 *[Section 7 (2)]*

24 TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC.

25 *Transfer of Properties*

26 1.-(1) Every agreement to which the incorporated Institute was a part
27 immediately before the commencement of this Act, whether it is in writing or
28 not and whether or not is of such nature that the rights, liabilities and
29 obligations there-under could be assigned by the incorporated Institute, shall,
30 unless the terms or subject matter make it impossible that it should have effect

1 or been modified in the manner provided by this sub-paragraph have effect
2 from the appointed day so far as it relates to property transferred by this Act
3 to the Institute as if:

4 (a) the Institute had been a party to the agreement;

5 (b) for any reference (however worded and, whether express or
6 implied) to be Incorporated Institute, there were substituted as respects
7 anything failing to be done on or after the commencement of this Act, a
8 reference to the Institute; and

9 (c) for any reference (however worded and whether express or
10 implies) to a member or members of the Council of the Incorporated
11 Institute there were substituted, as respects anything failing to be done on or
12 after the commencement of the Act, a reference to a member or members of
13 the Council under this Act.

14 (2) Other documents which refer, whether specifically or
15 generally, to the Incorporated Institute shall be constructed in accordance
16 with sub-paragraph (1) of this paragraph so far as applicable.

17 (3) Without prejudice to the generality to the foregoing provisions
18 of this Schedule, where, by the operation of section 7 of this Act, any right,
19 liability or obligation shall vest in the Institute and all other persons shall, as
20 from the commencement of this Act, have the same rights as to the taking or
21 resisting of legal proceedings or the making or resisting of applications to
22 any authority for ascertaining, perfecting or enforcing that right, liability or
23 obligation of the Institute.

24 (4) Any legal proceeding or application to any authority pending
25 on the commencement of this Act or against the Incorporated Institute may
26 be combined on or after that day or against the Institute.

27 (5) On the commencement of this Act, any person holding any paid
28 appointment in the Incorporated Institute shall hold corresponding
29 appointment in the Institute on the same terms and conditions as to tenure or
30 otherwise but shall not be entitled to receive remuneration both from the

1 Incorporated Institute in respect of the same period of service.

2 (6) If the law in force at the place where any property transferred by
3 this Act is situated provides for the registration or transfer of property of the
4 kind question (whether by reference to instrument of transfer or otherwise), the
5 law shall, so far as it provided for alteration of a register (but not for avoidance
6 to transfer the payment of fees or any other matter) apply with the necessary
7 modifications to the transfer of the property and the institute shall transfer to
8 the officer of the registration authority and the officer shall register the transfer
9 accordingly.

10 **THIRD SCHEDULE**

11 *Section 13 (6)*

12 **SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL**
13 **AND INVESTIGATING PANEL**

14 *The Tribunal*

15 1. The quorum of the tribunal shall be four of whom at least two shall
16 be members of the profession.

17 2.-(1) The Council may make rules as to the selection of the Tribunal
18 for the purposes of proceedings and the procedure to be followed and the rules
19 of evidence to be observed in proceedings before the Tribunal.

20 (2) The rules shall in particular provide:

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

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

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

28 (d) for publishing in the Gazette notice of any directive of the Tribunal
29 which has taken effect providing that a person's name shall be struck off a
30 register.

