

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE FOR SOCIAL WORK TO  
REGULATE THE PRACTICE OF PROFESSIONAL SOCIAL WORK IN NIGERIA,  
AND FOR RELATED MATTERS

*Sponsored by Hon. Ossai N. Ossai*

[ ] Commencement

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

1           PART I - ESTABLISHMENT, GOVERNING COUNCIL, ETC OF THE  
2                           NIGERIAN COUNCIL FOR SOCIAL WORK

3           1.-(1)There is established the Nigerian Council for Social Work (in  
4 this Bill referred to as 'the Council") which:-

Establishment of  
the Nigerian  
Council for  
Social work and  
its functions

5                   (a) shall be a body corporate with perpetual succession and a  
6 common seal, and

7                   (b) may sue and be sued in its corporate name

8           (2) The Council shall:

9                   (a) promote professional practice and uphold social work ethics  
10 and values;

11                   (b) determining what standards of knowledge and skills are to be  
12 attained by persons seeking to become member of the profession of social  
13 work(in this Act referred 'the profession;") and reviewing those standards  
14 from time to time as circumstances may require;

15                   (c) promote research and ensure high standard and quality of  
16 training of social workers;

17                   (d) regulate and control the practice of the profession in all  
18 ramifications;

19                   (e) maintaining in accordance with this Act ,of discipline within the  
20 profession;

- 1 (f) shall conduct Licensing examination on different levels; and  
2 (g) confer the highest tittle in social work to distinguished social  
3 worker.

Establishment  
of the Governing  
Council and its  
Membership

4 2.-(1) There is established for the Profession, a Governing Council (in  
5 this Bill referred to as “the Council”) charged with the administration and  
6 general management of the Social Work Profession.

7 (2) The Council shall consist of:

8 (a) a Chairman who shall be appointed by the Minister in charge of  
9 social development matters;

10 (b) three persons to represent the Nigeria Association of Social  
11 Workers;

12 (c) 6 persons to represent heads of social development component  
13 departments in the federal ministries and agencies;

14 (d) six persons to represent state ministries for social development  
15 component departments reflecting the six geo-political zones of the country;

16 (e) two persons to represent Non-Governmental Organizations;

17 (f) one person to represent National University Commission;

18 (g) one person to represent National Board for Technical Education;

19 (h) two persons to represent Universities offering social work;

20 (i) two persons to represent Polytechnics offering social work;

21 (j) one person to represent Monotechnics offering social work;

22 (k) two persons to represent Federal Medical Centres;

23 (l) one person to represent Public Interest;

24 (m) five persons to represent armed forces, Para- military , Nigeria  
25 Police Force and Nigeria Prisons Service;

26 (n) one person to represent the Federal Ministry of Justice;

27 (o) three persons to represent the Faith Based Organizations and  
28 Traditional Institutions;

29 (p) two persons to represent the Development Partners; and

30 (q) the Registrar, who shall be the Executive Secretary of the Council.

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1 (2) The Chairman and other members of the Council shall:

2 (a) be appointed by the Minister on the recommendations of the  
3 various offices they represent ; and

4 (b) hold office for a term of three years and may be eligible for re-  
5 appointment for another three years and no more.

6 (3) The provisions of the First Schedule to this Bill shall have effect  
7 with respect to the qualifications and tenure of office of members of the  
8 council and other matters therein mentioned.

9 3.-(1) The Minister may give to the Council directions of a general  
10 character or relating generally to particular matters (but not to any individual  
11 person or case) with regard to the exercise by the Council of its functions and  
12 it shall be the duty of the Council to comply with the directions.

Powers of the  
Minister to give  
direction to the  
Council

13 (2) The Council shall be charged with the general duty of:

14 (a) make rules in respect of any matter contained in this Bill;

15 (b) oversee the administration of the Council;

16 (c) formulate rules and regulations for the Council;

17 (d) determine fees, licensing dues and fines;

18 (e) regulate the Certification and Licensing of members

19 4. -(1) A person shall be qualified for appointment into the office  
20 of the Chairman and member of the Council , if the person;

Qualifications of  
the Chairman and  
Other Members  
of the Council

21 (a) is a citizen of Nigeria;

22 (b) has attained the age of 35 years;

23 (c) has been educated up to at least University or Polytechnic level  
24 with a First Degree, Higher National Diploma in Social Work or their  
25 equivalents;

26 (d) is a registered social worker (RSW) with the Incorporated  
27 Association of Social Workers established before the commencement of  
28 this Act (apart from Persons representing the Federal Ministry of Justice,  
29 NUC, NBTE, Faith Based Organizations, Traditional Institutions and  
30 Development Partners);

1 (e) has not been adjudged to be mentally derailed or declared  
2 bankrupt.

3 (2) The Chairman shall preside at the meetings of the Council, but in  
4 the event of death, resignation, incapacity or inability to perform the functions  
5 of his office for any reason, the Vice Chairman elected by members of the  
6 Council shall act in his stead for the unexpired portion of the term of office.

7 PART II – FINANCIAL PROVISIONS

Financial  
Provisions, etc.

8 5.-(1) The Council shall establish and maintain a fund, the  
9 management and control of which shall be vested in the Council and into which  
10 shall be paid:

11 (a) all monies received by the Council in pursuance of this Bill;

12 (b) all fees and other monies payable to the Council by licensed social  
13 workers, individuals and corporate bodies; and

14 (c) such monies as the Minister may, out of money provided by the  
15 Federal Government, individuals or corporate bodies, national or international  
16 to the Council by way of grant, subvention, loan or otherwise.

17 (2) There shall be paid out of the Fund of the Council:

18 (a) all expenditure incurred by the Council in the discharge of its  
19 functions under this bill;

20 (b) the remunerations and allowances of the Registrar and other staff  
21 of the Council; and

22 (c) such reasonable travelling and subsistence allowances of  
23 members of the Council in respect of the time spent on the duties of the Council  
24 as the Council may determine.

25 (3) Subject to guidelines issued by the Council from time to time, the  
26 Council's funds and assets shall be invested in any bond, bill or other security  
27 issued or guaranteed by the Federal Government or the Central Bank of  
28 Nigeria.

29 (4) The Council may, from time to time, borrow money for the  
30 purposes of the Council and any interest payable on monies so borrowed shall

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1 be paid out of the Fund.

2 (5) The Council shall prepare and submit to the Minister not later  
3 than 31st October of the year in which this Act comes into force (so however  
4 that for that year the Minister may, if he considers it necessary, extend the  
5 period) and in each subsequent year an estimate of its expenditure and  
6 income during the next succeeding financial year.

7 (6) The Council shall keep proper accounts in respect of each  
8 financial year and proper records in relation to those accounts, and shall  
9 cause the accounts to be audited as soon as may be after the end of each  
10 financial year to which the accounts relate by a firm of auditors appointed, as  
11 respects that year, from the list and in accordance with guidelines supplied  
12 by the Auditor-General for the Federation.

13 (7) The Council shall prepare and submit to the Minister not later  
14 than twelve months after its establishment and once in each year thereafter a  
15 report on the activities of the Council during the last preceding financial year  
16 and shall include in the report a copy of the audited accounts of the Council  
17 for that year and of the auditors' report on the accounts.

18 PART III – REGISTRAR AND THE REGISTER

19 6. -(1) The Council shall appoint a fit and competent social worker  
20 to be the Registrar for the purpose of this Act, and such other persons as the  
21 Council may from time to time, deem necessary to assist the Registrar in the  
22 performance of his functions under this Act.

Appointment of  
the Registrar, etc.

23 (2) The Registrar shall in addition to his other functions under this  
24 Act, be the Executive Secretary and Secretary to the Council and shall keep  
25 minutes of the proceedings of all meetings of the Council and committees  
26 thereof.

27 (3) The Registrar appointed under Sub Section (1) of this section  
28 shall report to the Council.

29 (4) The Executive Secretary shall keep the records and conduct the  
30 correspondence of the Council and perform such other functions as the

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1 Council may from time to time direct.

2 (5) The Council may appoint such other persons to be employees of  
3 the Council as the Council may determine.

4 (6) The Council shall have the power to advance, confirm, promote,  
5 transfer, discipline and terminate appointments of employees of the Council.

6 (b) The Registers and registration of Members.

7 (5) Subject to the provisions of this Act, the Council shall make rules  
8 with respect to the form and keeping of registers and the making of entries  
9 thereon, and in particular:

10 (a) regulate the making of applications for enrolment or registration  
11 for licensing, as the case may be and providing for the evidence to be produced  
12 in support of the applications;

13 (b) provide for the notification to the Registrar by the person to whom  
14 any registered particular relates or any change in those particulars;

15 (c) authorize an enrolled or registered person to have any qualification which  
16 is in relation to the relevant of the profession, either an approved qualification  
17 or an accepted qualification, for the purposes of this Act, registered in relation  
18 to his name in addition to or as he may elect, in substitution for any other  
19 qualifications so registered;

20 (d) specify the fees, including any annual subscription, to be paid to  
21 the Council in respect of the entry of names on the Register and authorizing the  
22 Registrar to refuse to enter a name on the Register until such fees specified for  
23 the entry has been paid;

24 (e) specify the standards of conduct required of a member of the  
25 Council and actions or omissions that amount to a misconduct; and

26 (f) specify anything failing to be specified under the foregoing  
27 provisions of this section; but rules made for the purpose of paragraph (d) of  
28 this sub-section shall not come into force until they are confirmed at a meeting  
29 of the Council.

(6) The Registrar shall:

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1 (a) correct, in accordance with the Council's directions, any entry  
2 in the register which the Council directs him to correct as being in the  
3 Council's opinion an entry which was incorrectly made;

4 (b) make, from time to time, any necessary alterations in the  
5 registered particulars of registered persons;

6 (c) remove from the register, the name of a deceased person or  
7 persons whose names he is directed to strike off as a result of disciplinary  
8 action; and

9 (d) record the names of registered persons of the Council who are  
10 in the default for more than one year in the payment of annual subscriptions,  
11 and to take such action in relation thereto (including removal of the names of  
12 defaulters from the register) as the Council may direct and any person whose  
13 name is removed from the register for being in default of payment of any  
14 year may be re-registered subject to payment of outstanding subscription  
15 and re-registration fees as may be approved by the Council.

16 (7) The rules made pursuant to sub-section (5) of this section shall  
17 provide for a procedure for updating licensed registered persons particulars  
18 in the register, and conditions under which the registrar may remove the  
19 name of the member from the list for failing to update his particulars and the  
20 manner to cause a restoration of such a person in the list.

21 *Publication of Register and List of Corrections, etc.:*

22 The Registrar shall:

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

26 (b) thereafter in each year, cause to be printed, published and put  
27 on sale as aforesaid, either a corrected edition of the register or list of  
28 corrections made to the register, since it was last printed;

29 (c) cause a print of each edition of the register and of each list of the  
30 corrections to be deposited at the principal office of the Council; and

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1 (d) keep the register and list so deposited and make the register and  
2 such lists available at all reasonable times for inspection by members of the  
3 public, physically and through an internet portal.

4 PART IV - REGISTRATION OF SOCIAL WORKERS

Approval of  
qualification

5 8.-(1) the Council may approve:

6 (a) Social Work course of training at an approved institution which is  
7 intended for persons who are seeking to become or are already professional  
8 social workers and which the Council considers relevant to be Licensed and  
9 certified as professional ; and

10 (b) Social Work qualification which as a result of examinations taken  
11 in conjunction with a course of training approved by the Council under this  
12 section is granted to candidates reaching a standard at the examination  
13 indicating in the opinion of the members of the Council that the candidates  
14 have sufficient knowledge and skill to practice the profession.

15 (2) The Council may, if it thinks fit, withdraw any approval given  
16 under this Section in respect of any social work course or qualification but  
17 before withdrawing such approval, the Council shall:

18 (a) give notice that it proposes to withdraw such approval to such person  
19 in Nigeria appearing to the Council to be a person or institution by whom the  
20 course is conducted or its qualification is granted or the institution is  
21 controlled, as the case may be;

22 (b) give such a person an opportunity of making to the Council  
23 representation with regard to the proposal; and

24 (c) take into consideration any representation made in respect of the  
25 proposal.

26 (3) The giving or withdrawal of an approval under this Section shall  
27 have effect from such date, either before or after the execution of the  
28 instrument signifying the giving or withdrawal of the approval as the Council  
29 may specify in that instrument, and the Council shall:

30 (a) publish as soon as possible a copy of every such instrument in its

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1 website and the print media; and

2 (b) not later than seven (7) days before its publication, send a copy  
3 of the instrument to the Minister and copy the Federal and State Ministries  
4 responsible for social development component departments.

5 9.-(1) The Council shall keep itself informed of the nature of-

6 (a) the instructions given at approved institutions to persons  
7 attending approved courses of training; and

8 (b) the examinations as a result of which approved qualifications  
9 are granted, and for the purposes of performing that duty the council may  
10 appoint, either from among its own members or otherwise, persons to visit  
11 approved institutions, or to attend such examinations.

12 (2) On receiving a report made in pursuance of this Section, the  
13 Council may, if it thinks fit and if so required by the Council, send a copy of  
14 the report to the person appearing to the council to be in charge of the  
15 Institution or responsible for the examination to which the report relates  
16 requesting that person to make observation on the report to the council  
17 within such period as may be specified in the request, not being less than one  
18 month beginning with the date of the request.

19 10.-(1) An applicant for registration shall, unless otherwise  
20 precluded by this Act, be entitled to sit for Licensing examination in the level  
21 applicable to his social work qualifications and be licensed as a social  
22 worker if the person satisfies the Council that he is of good character:

23 (a) is the holder of a certificate from approved Institution; or

24 (b) is exempted from examination as the holder of a qualification  
25 granted within and outside Nigeria and for the time being accepted by the  
26 Council: Provided that if the Council so requires, the applicant shall satisfy  
27 the Council that she has had sufficient practical experience in social work.

28 (2) Any person aggrieved by a decision of the Council under this  
29 section may appeal to the High Court most convenient in terms of access to

Supervision of  
instructions and  
examinations  
leading to the  
approved  
qualifications

Requirements on  
registration for  
licensing  
examinations

1 her, within one month after notice is given to her of the decision of the Council.

2 (3) The licensing examinations shall be conducted in three levels of  
3 licensure as follows:

4 (a) Holders of certificate in social work, plus BSc\HND in relevant  
5 social science discipline and diploma in social work\social development or in  
6 any of its components;

7 (b) Holders of BSc\HND in social work or in any of its components;

8 (c) Holders of MSc (social Work) or in any of its components and  
9 Masters in social work;

10 (4) The Council shall:

11 (a) examine the academic certificate of holders of Ph.D. Social Work  
12 and Doctor of Social Work(DSW) qualifications granted within and outside  
13 Nigeria being accepted by the Council;

14 (b) the holders of these certificates shall be exempted from licensing  
15 examination and be placed on appropriate level of licensure.

16 (5) The Council shall determine the nomenclature for the different  
17 levels of licensure applicable to the qualifications on sub-section(3) and(4) of  
18 this section.

Special provisions  
as to social workers  
trained outside  
Nigeria

19 11.-(1) Where any person has, outside Nigeria, completed a course of  
20 training as a social worker not acceptable to the Council, without further proof  
21 of competency, the Council may require that person to undergo additional  
22 training in a social work in approved institution or under any scheme of  
23 training in Nigeria approved by the Council and upon completion of the  
24 prescribed further training to the satisfaction of the Council such person may  
25 apply for registration for licensing examination in the prescribed level under  
26 this Act and be registered accordingly in the appropriate register.

27 (2) Every application for registration shall be accompanied by  
28 evidence of identity.

29 (3) No social worker shall be allowed to practice or to continue in  
30 practice in any year except if such social worker has paid the annual fee for that

1 year as prescribed by the Council.

2 PART V - PROFESSIONAL DISCIPLINE

3 12.-(1) There shall be established a Tribunal to be known as the  
4 Nigerian Council for Social Work Disciplinary Tribunal (in this Act  
5 referred to as "the Disciplinary Tribunal") which shall be charged with the  
6 duty of considering and determining any case referred to it by the  
7 Investigation Panel constituted under sub-section (3) of this section.

Establishment of  
Disciplinary  
Tribunal and  
Investigating Panel

8 (2) The Disciplinary Tribunal shall be appointed by the Council  
9 and shall consist of two members of the Council, one of whom shall be the  
10 Chairman, and five other registered social workers who are not members of  
11 the Council.

12 (3) There shall be constituted a body to be known as the Nigerian  
13 Council for Social Work Investigation Panel (in this Bill referred to as the  
14 "Investigating Panel") which shall:

15 (a) conduct a preliminary investigation into any case where it is  
16 alleged that a Registered social worker is involved in a misconduct in his  
17 capacity as a certified social worker or should for any other reason be the  
18 subject of proceedings before the Disciplinary Tribunal; and

19 (b) decide whether the case shall be referred to the Disciplinary  
20 Tribunal or not.

21 (4) The Investigating Panel shall be appointed by the Council and  
22 shall consist of five members as follows:

23 (a) two members of the Council, one of whom shall be Chairman of  
24 the Panel; and

25 (b) three certified social workers who are not members of the  
26 Council.

27 (5) The tenure of any member of the Investigating Panel shall be  
28 three years renewable for a further period of three years.

29 (6) The Council may make rules not inconsistent with this Bill as  
30 regards acts, which constitute professional misconduct.

1 (7) The Investigating Panel shall act independently in receiving and  
2 investigating allegations under paragraph (a) of Sub-section (3) of this Section  
3 and shall have power to receive complaints directly from any individual, client  
4 or organization.

5 (8) The provisions of Second Schedule to this Act shall so far as  
6 applicable to the Investigating Panel and Disciplinary Tribunal respectively,  
7 has effect with respect to those bodies.

Penalties for  
professional  
misconduct

8 **13.-(1) Where:**

9 (a) a member is adjudged by the Disciplinary Tribunal to be guilty of  
10 professional misconduct in any professional respect;

11 (b) a member is convicted by any Court of law having power to award  
12 imprisonment for an offence (whether or not punishable with imprisonment)  
13 which in the opinion of the Disciplinary Tribunal is incompatible with the  
14 conduct required of a Certified social worker; or

15 (c) the Disciplinary Tribunal is satisfied that the name of any person  
16 has been fraudulently registered; the Disciplinary Tribunal shall order the  
17 Registrar to strike his name off the relevant part of the Register.

18 (2) For the purpose of subsection(1) of this section, a person shall not  
19 be treated as guilty, unless the guilty stands at a time when no appeal or further  
20 appeal is pending or may, (without by extension of time) be brought in  
21 connection with the direction.

22 (3) Where the Disciplinary Tribunal gives a direction under  
23 subsection (1) of this section, the Disciplinary Tribunal shall cause notice of the  
24 direction to be served on the person to whom it relates.

25 (4) The person to whom such a direction relates may, at any time  
26 within 28 days from the date of service on him of the notice of direction, appeal  
27 against the direction to the Federal High Court, and where necessary to the  
28 Court of Appeal and the Disciplinary Tribunal and the complainant (if any)  
29 may appear as respondent to the appeal and, for the purpose of enabling the  
30 direction to be given as to the costs of the appeal and of proceedings before the

1 Federal High Court of Appeal, the Disciplinary Tribunal and the  
2 complainant shall be deemed to be a party thereto, whether or not it appears  
3 on the hearing of the appeal.

4 (5) A direction of the Disciplinary Tribunal under subsection (1) of  
5 this section shall take effect where:

6 (a) no appeal under this section is brought against the direction  
7 within the time limit for such an appeal or on the expiration of that time;

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

10 (c) such an appeal is brought and is not withdrawn or struck out as  
11 aforesaid, if and when the appeal is dismissed and shall take no effect in  
12 accordance with the provisions of this subsection.

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

21 PART VI - MISCELLANEOUS:

22 14. -(1) As from the commencement of this Act:

23 (a) all assets and liabilities held or incurred immediately before the  
24 commencement date by the incorporated Association of Social Workers on  
25 behalf of the Council shall, by virtue of this Sub-section and without further  
26 assurance, vest in the Council and be held by it for the purpose of the  
27 Council;

28 (b) subject to sub-section (2) of this section, any act, matter or thing  
29 made or done by the Incorporated Association on behalf of the Council shall  
30 be deemed to have been done by the Council.

Transfer to the  
Council of  
ceratin properties

1 (2) The provisions of Third Schedule to this Act shall have effect with  
2 respect to matters arising from the transfer of assets and liabilities the  
3 Incorporated Association held or incurred on behalf of the Council and with  
4 respect to other matters mentioned in that Schedule.

Application of  
this Act to  
unregistered  
persons

5 15. A person who is not a member of the Incorporated Nigeria  
6 Association of Social Workers established before the commencement of this  
7 Act, but is qualified to apply for registration and licensing may apply by this  
8 Act, in such a manner as may be prescribed by rules made by the Council.

Rules as to  
practice, etc.

9 16. -(1) The Council may make rules to guide training in social work.

10 (2) The council may also make rules:

11 (a) prescribing the amount and due date for the payment of the annual  
12 subscription and for such purposes, different amounts may be prescribed by the  
13 rules according to the category of membership;

14 (b) prescribing the form of license to practice to be issued annually, or  
15 if the Council thinks fit, by endorsement on an existing license;

16 (c) restricting the right to practice as a social worker in default of the  
17 amount of the annual subscription where the default continues for longer than  
18 such period as may be prescribed by the rules.

19 (d) restricting the right to practice as a member of the profession, if the  
20 qualification granted outside Nigeria does not entitle the holder to practice as a  
21 member of the profession; and

22 (e) prescribing the period of practical training in the office of a  
23 member of the profession in practice to be completed before a person qualifies  
24 for a license to practice as a member of the profession.

25 (3) Rules made under this section shall be published in the official  
26 newsletter, website and magazine of the Council.

Provision of library  
and Information  
Communication  
Technology  
facilities etc.

27 17. The Council shall:

28 (a) provide and maintain a library comprising of books and  
29 publications for the advancement of the knowledge of social work and such  
30 other books, publications, website and internet communication technology

1 media as may be considered necessary;

2 (b) encourage research into social work and allied subjects to the  
3 extent that the Council may, from time to time, consider necessary.

4 18.-(1) Any regulations made pursuant to this Act shall be Regulations  
5 published in the Council's Journal and website.

6 (2) Rules made for the purpose of this Act shall be subject to  
7 confirmation by the Council at its meeting and shall not have effect until so  
8 confirmed.

9 19.-(1) A person who for the purpose of procuring the registration Offences and  
10 of any name, qualification or other matter- Penalties

11 (a) makes a statement which he believes to be false in any material  
12 particular; or

13 (b) recklessly makes statement which is false in any material  
14 particular, commits an offence.

15 (2) If on or after the coming into force of this Act, a person who is  
16 not a licensed social worker practices or holds himself out as a licensed  
17 social worker for, or in expectation of reward or takes or uses any name, title,  
18 addition or description implying that he is in practice as a registered and  
19 licensed social worker, commits an offence.

20 (3) In the case of a person failing within section (15) of this Act:

21 (a) the provision of Sub-section (2) of this section shall not apply in  
22 respect of anything done by him during the period of three months; and

23 (b) if within that period he duly applies for registration then unless  
24 within that period he is notified that his application has not been approved,  
25 the provision of Sub-section (2) of this section shall not apply in respect of  
26 anything done by him between the end of that period and the date on which  
27 he is enrolled, or registered or notified as aforesaid.

28 (4) The Registrar or any other person employed by or on behalf of  
29 the council, who willfully makes any falsification in any matter relating to  
30 register, commits an offence.

1 (5) A person who is in either public or private practice commits an  
2 offence under this section shall be liable on conviction to a minimum fine of  
3 One Hundred Thousand Naira (N100, 000.00), or imprisonment for a  
4 maximum term of two years, or to both such fine and imprisonment.

5 (6) 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 be attributable to any neglect on the part of any director,  
8 manager, secretary or other similar officer of the body corporate, or any person  
9 purporting to act in any such capacity, he, as well as the body corporate, shall be  
10 deemed to have committed the offence and shall be liable on conviction by  
11 court of competent jurisdiction in the case of an individual to the punishment  
12 prescribed in Sub-section (5) of this section and in the case of a body corporate  
13 , to a fine of not less than Five Hundred Thousand Naira (N500,000.00), and or  
14 a ban on practice of share registration for a specific period of time not less than  
15 one year.

Highest title  
in Social Work

16 **20. -(1) The Council shall:**  
17 (a) determine the nomenclature for the highest title in social work;  
18 (b) set the requirements for the highest title in social work;  
19 (c) consider the application of the licensed social worker before  
20 conferment;  
21 (d) make further rules and regulations on the highest title;

22 (2) The title holders shall be the most distinguished social workers in  
23 Nigeria.

Interpretation

24 **21. In this Bill, unless the context otherwise requires:**  
25 "client" refer to individual, family, group, organization and community who  
26 engage or benefit from the services of a social worker;  
27 "components: refer to youth development, social welfare, child development,  
28 rehabilitation of persons with disabilities ,women and gender affairs,  
29 community development and care of aged;

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- 1 “Council” means the governing council established under section 2 (1) of  
2 this Bill;
- 3 “fees” include annual subscription, costs of registration for examinations  
4 and licensing;
- 5 “fine” includes amount prescribed for payment in default of the provisions  
6 of this Bill and rules of the Council;
- 7 “government” means government of the Federal Republic of Nigeria;
- 8 “incorporation association” means the Nigeria Association of Social  
9 Workers established before the commencement of this Act;
- 10 “person” means certificated social worker seeking for license to practice;
- 11 “minister” means a Minister of the Cabinet of the Federal Republic of  
12 Nigeria responsible for Social Development;
- 13 “registered social workers” refer to members of the Nigeria Association of  
14 Social workers established before the commencement of this Act;
- 15 "social development" as define by social development policy, is the process  
16 of continuous improvement of the social structure, institutions and  
17 programmes in order to create a societal Condition in which the rights of  
18 citizens are advanced and protected; their welfare enhanced; and their  
19 effective functioning and self-actualization ensured;
- 20 “social work” includes professional service to stop or reduce crime,  
21 delinquency, poverty and destitution, unemployment, homelessness, drug  
22 abuse, wife battering, family disintegration, trafficking in persons, child  
23 abuse and neglect, abnormal sexual behavior and prostitution, unintended  
24 pregnancies, pre-marital sex and abortion, mental illness, ethnic and racial  
25 discrimination, communal or religious conflict, displacement of persons,  
26 secret cults, cybercrime, terrorism, violence, street gangs, sexually  
27 transmitted diseases, substandard or poor housing, environmental pollution  
28 and over population;
- 29 “social worker” means a helping professional who is distinguished from  
30 other human services professionals by a focus on both the individual and
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1 his environment. Social workers help with people to support them through  
2 difficult times and ensure that vulnerable people are safeguarded; and  
3 “the list” means the list of recommended auditors to be approved by the  
4 Council.

Citation

5 22. This Bill may be cited as the Nigerian Institute for Social Work  
6 (Establishment, etc.) Bill, 2015.

7 SCHEDULES:

8 FIRST SCHEDULE

9 *Section 2 (3)*

10 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

11 *Tenure of Office, etc. of Members of the Council*

12 1. -(1) subject to the provision of this Act, a member of the council  
13 shall hold office for a period of three years, beginning with the date of his  
14 appointment.

15 (2) Appointments to the Council shall have effect subject to the  
16 provisions of this Section.

17 (3) Persons who are:

18 (a) appointed, shall continue to be members of the Council while they  
19 are employed in any of the public services of Nigeria, the universities,  
20 polytechnics or monotechnics or in the service of the armed forces, as the case  
21 may be;

22 (4) A nominated person appointed pursuant to section 2(1) of this Act  
23 may resign his membership by notice in writing to the Council, and any person  
24 whether or not so appointed who ceases to be a member of the Council shall, in  
25 a proper case, be eligible again to become a member of the Council for one  
26 further term.

27 (5) It shall not be necessary to fill any vacancy on the Council where  
28 the unexpired residue of the term of office of a member (other than by efflux ion  
29 of time) does not exceed one Year and the member has not been appointed on  
30 rotation.

1 (6) Notwithstanding that his term of office may not have expired, a  
2 nominated member may vacate his office if he gives notice in writing of his  
3 resignation addressed to the Council; and any such nominated member shall  
4 vacate his office if:

5 (a) The Council is satisfied that by reason of mental or physical  
6 infirmity he is incapable of discharging the duties of his office; or

7 (b) he absents himself for two consecutive ordinary meetings of the  
8 Council without the leave of the Council.

9 (7) A person who is a member by virtue of occupation of a  
10 particular office shall cease to be a member if he ceases to occupy the  
11 particular office outside the Council.

12 *Proceedings of the Council:*

13 2.-(1) Subject to the provisions of this Bill, the Council may in the  
14 name of the Council make Standing Orders, regulating its proceedings or  
15 proceedings of its Committee or of any Committees thereof.

16 (2) The Standing Orders shall provide for decision to be taken by a  
17 majority of the members and in the event of equality of votes, the Chairman  
18 shall have a second or casting vote.

19 (3) The Standing Orders made for a Committee of the Council shall  
20 provide for the Committee to report to the Council on any matter referred to  
21 it by the Council.

22 (4) The quorum at any meeting of the Council shall be thirteen and  
23 the quorum of the Committee shall be determined by the Council.

24 *Meeting of the Council:*

25 3.-(1) Subject to the provisions of any Standing Order of the  
26 Council, the council shall convene every three months or meet whenever it  
27 is summoned by the Chairman and if the Chairman is required to do so by  
28 notice in writing given to him by not less than 10 others, he shall convene a  
29 meeting of the Council to be held within 14 days from the date on which the  
30 notice is given.

1 (2) At any meeting of the Council the Chairman shall preside, but if  
2 the Chairman is absent, the Vice Chairmen shall preside or members present at  
3 the meeting shall appoint one of them to preside at the meeting in the absent of  
4 the Vice Chairmen.

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

10 (4) Notwithstanding anything in the foregoing provisions of this  
11 paragraph, the first meeting of the Council shall be summoned by the Minister.

12 *Committee*

13 4.-(1) The Council may appoint one or more committees to carry out,  
14 on behalf of the Council, such functions as the Council may determine.

15 (2) A committee appointed under this paragraph shall consist of the  
16 number of persons determined by the Council not more than one-third may be  
17 persons who are not members of the Council and a person other than a member  
18 shall hold on the committee in accordance with the terms of his letter of  
19 appointment.

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

22 *Meeting of Members*

23 5.-(1) The Council shall meet once in a year with certified social  
24 workers in Nigeria at the annual National Congress of Social Work, Education  
25 and Social Development jointly organized by the Council, the Incorporated  
26 Association and its Affiliates, and the ministry responsible for social  
27 development matters. The Council shall collaborate with the Incorporate  
28 Association in the discharge of its duties.

29 *Miscellaneous*

30 6.-(1) The fixing of the seal of the Council shall be authenticated by

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1 the signature of the Chairman or some other members of the Council  
2 authorized generally or specifically by the Council to act for that purpose.

3 (2) A 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 made or executed on behalf of the Council or of the Council, as the case  
6 require, by any person generally or specifically authorized to act for the  
7 purpose of the Council.

8 *Proceedings*

9 7. The validity of any proceeding of the Council or of a  
10 Committee thereof shall not be affected by any vacancy in the membership  
11 of the Council or Committee, or by any defect in the appointment of a  
12 member of the Council or a person to serve or by reason that a person not  
13 entitled to do so took part in the proceedings.

14 *Disclosure of interest*

15 8. A member of the Council, and any person holding office on a  
16 Committee of the Council, who has a personal interest in any contract or  
17 arrangement entered into, or on behalf of the Council or a Committee  
18 thereof, shall disclose his interest to the Chairman or to the Council, as the  
19 case may be, and shall not vote on any question to that contract or  
20 arrangement.

21 **SECOND SCHEDULE**

22 *Section 11 (8)*

23 **SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY**

24 **TRIBUNAL AND INVESTIGATION PANEL**

25 *Quorum of the Disciplinary Tribunal*

26 **1. The quorum of the Disciplinary Tribunal shall be three**  
27 **members.**

28 **2.-(1) The Council shall make rules as to the selection of members**  
29 **of the Disciplinary Tribunal for the purposes of any proceeding, the**  
30 **procedure to be followed and the rules of evidence to be observed in the**

1 proceedings before the Disciplinary Tribunal.(2) The rules shall in particular  
2 provide for:

3 (a) securing that any party to the proceedings shall be entitled to be  
4 heard and given fair opportunity to defend the allegations against him or her by  
5 the Disciplinary Tribunal;

6 (b) determining who, in addition to the person aforesaid, shall be  
7 party to the proceedings;

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

10 (d) securing that any party to the proceedings may be represented by a  
11 legal practitioner;

12 (e) subject to the provision of Section 12 (1) of this Bill, the costs of  
13 proceedings before the Disciplinary Tribunal;

14 (f) requiring, in a case where it is alleged that the person who is the  
15 subject of the proceedings is guilty of misconduct in any professional respect,  
16 that where the Disciplinary Tribunal adjudges that the allegation has been  
17 proved, it shall record a finding that the person is guilty of such misconduct in  
18 respect of the matters to which the allegation relates; and

19 (g) publishing in the website, newsletter and magazine a notice of any  
20 direction of the Disciplinary Committee which has taken effect providing that a  
21 person's name shall be struck off the register.

22 *Administering Oaths, etc.*

23 3. For the purposes of any proceeding before the Disciplinary  
24 Tribunal, a member of the Disciplinary Tribunal may administer oaths and any  
25 party to the proceedings may sue out of the Registry of the Federal High court  
26 by writs of *subpoena ad testificandum* and *dues tecum* but no person appearing  
27 before the Disciplinary Tribunal shall be compelled to:

28 (a) make any statement before the Disciplinary Tribunal tending to  
29 incriminate himself; or

30 (b) produce any document under which a writ which he could not be

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1 compelled to produce at the trial of an action.

2 *Proceedings of the Disciplinary Tribunal*

3 4. On any question of law, arising in the proceedings before it,  
4 there shall in all such proceedings be an assessor to the Disciplinary Tribunal  
5 and who shall be:

6 (a) appointed by the Council; and

7 (b) a legal practitioner of not less than seven years standing.

8 (2) The Council shall make rules as to the functions of the assessors  
9 appointed under this paragraph and in particular such rules shall contain  
10 provisions for securing that:

11 (a) where an assessor advises the Disciplinary Tribunal on any  
12 question of law as to evidence, procedure or any other matter specified by  
13 the rules, he shall do so in the presence of every party or a person  
14 representing a party to the proceedings, who appears to be a threat or, if the  
15 advice is tendered while the Disciplinary Tribunal is deliberating in private,  
16 that every such party or person as aforesaid shall be informed of what advice  
17 the assessor has tendered; and

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

21 (3) An assessor may be appointed under this paragraph either  
22 generally or for any particular proceeding or class of proceedings, and shall  
23 hold and vacate office in accordance with the terms of the letters by which he  
24 is appointed.

25 (4) The quorum of the Panel shall be three.

26 *The Investigating Panel*

27 5.-(1) The quorum of the Investigating Panel shall be three.

28 (2) The Council may, at any of its meetings attended by all  
29 members, make Standing Orders with respect to the Investigation Panel.

30 (3) Subject to the provision of any Standing Order, the

1 Investigation Panel may regulate its own proceedings.

2 *Appointment of a Person as a Member of the Disciplinary Tribunal, etc.*

3 6.-(1) A person ceasing to be a member of the Disciplinary Tribunal  
4 shall be eligible for a re-appointment as a member of the Disciplinary Tribunal  
5 or Investigating Panel, as the case may be.

6 (2) A person may, if otherwise eligible, be a member of both the  
7 Disciplinary Tribunal and Investigation Panel, but no person who acted as a  
8 member of the Investigation Panel with respect to any case shall act as a  
9 member of the Disciplinary Tribunal with respect to that case.

10 *Non-Validation on the Basis of Vacancy*

11 7. The Disciplinary Tribunal or the Investigation Panel may act  
12 notwithstanding any vacancy in its membership and the proceedings of either  
13 body shall not be invalidated by any irregularity in the appointment of a  
14 member of that body or subject to paragraph 6 (2) of this Schedule by reason of  
15 the fact that any person who was not entitled to do so took part in the  
16 proceedings of that body.

17 *Service of a Document*

18 8. Any document authorized or required by virtue of this Bill to be  
19 served on the Disciplinary Tribunal or the Investigation Panel shall be served  
20 on the Registrar.

21 *Defraying of Expenses*

22 9. All expenses of the Disciplinary Tribunal or the Investigation  
23 Panel shall be defrayed by the Council.

24 THIRD SCHEDULE

25 *Section 13 (2)*

26 TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC.,

27 *Transfer of Properties*

28 1. Every agreement to which the Incorporated Association was a part  
29 immediately before the commencement of this Act on behalf of the Council,  
30 whether or not of such nature that the rights, liabilities and obligations

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1       thereunder could be assigned by the Incorporated Association, shall have  
2       effect from the appointed day so far as it relates to property transferred by  
3       this Act to the Council as if the Council had been a party to the agreement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Institute for Social Work charged with the responsibility of regulating and advancing the practice of Social Work in Nigeria.