

CHARTERED INSTITUTE OF HUMAN CAPITAL DEVELOPMENT OF
NIGERIA BILL, 2015
ARRANGEMENT OF CLAUSES

SECTION:

PART I

ESTABLISHMENT, ETC., OF CHARTERED INSTITUTE OF HUMAN CAPITAL
DEVELOPMENT OF NIGERIA

1. Establishment of Chartered Institute of Human Capital Development of Nigeria.
2. Membership of the Institute
3. Council of the Institute

PART II

FINANCIAL PROVISIONS

4. Fund of the Institute
5. Accounts, etc

PART III

APPOINTMENT OF REGISTRAR, ETC., AND PREPARATION OF THE
REGISTER

6. Appointment of Registrar, etc., and preparation of the Register
7. Publication of the Register and list of corrections.

PART IV

REGISTRATION

8. Registration of Members
9. Approval of qualifications, etc.
10. Supervision of Instructions and examinations leading to approved qualifications.

PART V

Professional Discipline

11. Establishment of Disciplinary Committee and Investigating Committee.

12. Penalties for unprofessional conduct, etc.

PART VI

MISCELLANEOUS

13. Application of this Act to unregistered persons.

14. When a person is deemed to practice as a member

15. Rules as to practices, etc.

16. Provisions of library facilities, etc.

17. Offences.

18. Regulations and Rules

19. Transfer to the Institute of certain assets and liabilities

20. Interpretation

21. Short Title

SUPPLEMENTARY SCHEDULES

Supplementary Provisions relating to the Council	Schedule I
Miscellaneous	Schedule II
Transitional Provisions as to Property, etc	Schedule III
Supplementary Provisions on Membership	Schedule IV

A BILL

FOR

AN ACT TO ESTABLISH CHARTERED INSTITUTE OF HUMAN CAPITAL DEVELOPMENT OF NIGERIA, CHARGED, AMONG OTHER THINGS, WITH THE RESPONSIBILITY OF ENTRENCHING PROFESSIONAL EXCELLENCE AND SETTING THE STANDARDS FOR BEST PRACTICES IN LEARNING AND PERFORMANCE AMONG HUMAN CAPITAL DEVELOPMENT PRACTITIONERS IN NIGERIA AND FOR MATTERS CONNECTED THEREWITH 2015.

Sponsored by Hon. Gideon Gwani

[] Commencement

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

1 PART I - ESTABLISHMENT, ETC., OF CHARTERED INSTITUTE OF HUMAN
2 CAPITAL DEVELOPMENT OF NIGERIA

3 1. -(1) There is hereby established a body to be known as Chartered
4 Institute of Human Capital Development of Nigeria (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
Chartered
Institute of
Human Capital
Development of
Nigeria, etc.

7 (a) Advancement of human capital through its development for the
8 attainment of individual and corporate goals;

9 (b) Encouraging workplace learning, development and skills
10 acquisition thereby increasing productivity through capacity utilization of
11 the human element in the workplace;

12 (c) Encouraging and supporting research and its application in the
13 area of human capital development;

14 (d) Providing training and education for practitioners,
15 organizations, government and other stakeholders in the area of human
16 capital development;

17 (e) Promoting uniformity by providing a standardized and

1 harmonized platform for the regulation of human capital development practice
2 in Nigeria;

3 (f) Collaborating with other professional bodies in ensuring sanity
4 and strict professionalism in the area of human capital development in Nigeria;

5 (g) Entrenching professional excellence and setting the standards for
6 best practices in learning and performance among human capital development
7 practitioners in Nigeria;

8 (h) Creating a platform that enables members, both individual and
9 corporate, to constantly acquire and share knowledge, sharpen their skills,
10 broaden their horizon and enhance their performance towards greater value
11 added services to their organizations;

12 (i) Advocacy visits and sensitization workshops aimed at advancing
13 the course of human capital development since it is the key to the attainment of
14 set goals and objectives;

15 (j) Determining the standards of knowledge and skill to be attained by
16 persons seeking to become members of the Institute and reviewing those
17 standards, from time to time as circumstances may require;

18 (k) Maintenance of a register of members of the profession and its
19 publications from time to time;

20 (l) To perform, through the Council other duties and functions as may
21 foster the growth and well being of members, the Institute and society.

22 (2) The Institute shall have perpetual successful and a common seal
23 which shall be kept in such custody as the Council established under section 3
24 of this Act may from time to time authorize.

Membership of
the Institute

25 2. Subject to the provision of this Bill, a person admitted to
26 membership of the Institute shall be registered as a member and shall be
27 entitled to use the appropriate abbreviation (A.CIHCD/M.CIHCD/F.CIHCD)
28 after his name.

29 A person shall not be qualified to become a member of Institute unless:

1 (a) He has obtained an approved Degree or a Higher National
2 Diploma;

3 (b) He has passed the professional examination at the Academy of
4 Human Capital Development which shall be established and administered
5 by the Institute;

6 (c) He has undergone a two-year supervised practical experience
7 training programme;

8 (d) The Council shall, from time to time, publish the list of Tertiary
9 Institutions whose award of degrees are approved for admission into the
10 Academy of Human Capital Development; however, a degree obtained
11 from any of the Nigerian universities and polytechnics shall be deemed an
12 accepted qualification for membership of the Institute.

13 The Council may approve a degree from any overseas universities, if it
14 deems it fit and is satisfied that the course of study and the standard of
15 examination are comparable and equivalent to those of Nigerian
16 universities; however, final certificates of other professional bodies may be
17 acceptable as qualification for membership of the Institute.

18 3. -(1) There shall be as the governing body of the Institute, a
19 Council which shall be charged with the administration and general
20 management of the Institute.

Council of the
Institute

21 (2) The Council shall consist of:

22 (a) A President;

23 (b) A Vice- President;

24 (c) Ten persons nominated by the Institute;

25 (d) Immediate past president of the Institute, including the
26 registered Institute;

27 (e) Three persons to represent the Federal, State and Local
28 Governments in rotation;

29 (f) Two persons who shall be members of the Institute to represent
30 institutions of higher learning in Nigeria offering courses considered

1 relevant by the Institute, in rotation, so however that the two shall not come'
2 from the same Institution.

3 (3) The President and the Vice-President shall be nominated from the
4 Council by members of the Institute.

5 (4) The President and Vice-President shall each hold office for a term
6 or two years from the date of their nomination, and the President shall be the
7 Chairman of the meetings of the Institute, so however that in the event of the
8 death, incapacity or inability for any reason of the President, the Vice-President
9 shall act as President for the unexpired portion of the term of office and as
10 Chairman, as the case may be and references in this Act to the President shall
11 be construed accordingly.

12 (5) The President or the Vice-President shall respectively be
13 Chairman and Vice-Chairman of the Council of the Institute under this Act.

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

16 (7) The provisions of the First Schedule to this Act shall have effect
17 with respect to the qualifications and tenure of office of members of the
18 Council and other matters therein mentioned.

19 (8) In accordance with the provisions of section 3 of the Bill the
20 membership of the Council shall be eighteen and the members shall from
21 among themselves appoint the following officers for the purpose of executing
22 the Council decisions and policies:

23 (a) the President;

24 (b) the Vice-President;

25 (c) the 2nd Vice President;

26 (d) the Treasurer; and

27 (e) The Membership Secretary.

28 The incoming President, who shall have held office for a period of twelve
29 months in that capacity, shall be appointed to understudy and succeed the
30 president at the expiration of his tenure of office. Provided that, the ascension

1 to the post of President by the incoming President shall be subject to the
2 approval of the Council, not later than six months after the nomination;
3 accordingly if the Council shall decide to change the incoming President to
4 another member of the Council, such replacement shall only be eligible to
5 complete the remaining period of the tenure of office of the President. New
6 members of the Council shall be presented annually at a general meeting of
7 the Institute.

8 PART II - FINANCIAL PROVISIONS

9 4. -(1) The Institute shall establish and maintain a fund:

Fund of the
Institute

10 (2) There shall be paid into the fund of the Institute:

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

13 (b) Such moneys as may be payable to the Council, whether in the
14 course of the discharge of its functions or not.

15 (3) There shall be paid out of the fund of the Council established
16 pursuant to subsection (I) of this section:

17 (a) The remuneration and allowances of the Registrar and other
18 employees of the Council:

19 (b) Such reasonable traveling and subsistence allowance of
20 members of Council in respect of the time spent on the business of the
21 council as the Council may approve;

22 (c) Any other expenses approved by the Council in the discharge of
23 its functions under this Act.

24 (4) The Council may invest moneys in the fund in any security
25 created or issued by or on behalf of the Federal Government or in any other
26 securities in Nigeria approved by the Council.

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

30 5. -(1) All monies, bills and notes belonging to the Institute shall be

Bank Accounts

1 deposited with the Institute's bankers and account to be kept in the name of the
2 Institute.

3 (2) All cheques of the Institute's bankers shall be signed by the
4 President, Registrar and such others authorized so to do.

5 (3) The Institute's bank accounts shall be kept with such banker or
6 bankers as the Council may, from time to time, determine.

Accounts to be
kept

7 1. The Council shall cause true and correct account to be kept:

8 (a) of the assets and liabilities of the Institute:

9 (b) of all monies received and expended by the Institute and the
10 matters in respect of which such receipts and expenditure were made: and

11 (c) of the sales and purchases of goods by the Institute.

12 2. The books of account of the Institute shall be kept at the office, or at
13 such other place or places as the Council may deem fit, and shall be open to
14 inspection by members of the institute.

15 3. The Institute at a general meeting may, from time to time, make
16 responsible conditions and regulations as to the time and manner for the
17 inspection of the accounts and books of the Institute or any of them by members
18 of the Institute or of the Council and subject to such conditions and regulations,
19 the accounts and books of the Institute shall be open for inspection by members
20 at all reasonable times during business hours.

Annual accounts
and reports

21 4.-(1) Once, at least in every year, the Council shall cause to be
22 prepared and laid before the Institute at a general meeting an income and
23 expenditure account for the previous year made up to a date not more than six
24 months before such meeting.

25 (2) A balance sheet in respect of the accounts of the Institute shall be
26 made out in every year at the same date, and laid before the members at a
27 general meeting and every balance sheet shall be accompanied by a report of
28 the Council as to the affairs of the Institute generally and a report of the
29 auditors, and a printed copy of such account, balance sheets, and reports shall
30 not less than twenty clear days before the meeting be served on the members

1 who are entitled to receive notice to receive notices from the Institute in the
2 manner in which notices are hereinafter directed to be served.

3 (3) At least once in every year the accounts of the Institute shall be
4 examined and the correctness of the income and expenditure of the account
5 and balance sheet shall be ascertained by one or more auditors.

6 5. The Council shall keep proper accounts on behalf of the
7 Institute in respect of each year and proper records in relation to those
8 accounts and shall cause its accounts to be audited as soon as may be
9 possible after the end of the year to which the accounts relate by a firm of
10 auditors approved by the Institute and, when audited. The accounts shall be
11 submitted to the members of the Institute for approval by them at the
12 meeting of the Institute.

Accounts and
Auditing of
Accounts

13 PART III - APPOINTMENT OF REGISTRAR, ETC,
14 AND PREPARATION OF THE REGISTER

15 6. -(1) The Council shall keep a register of members in states of the
16 federation and the Federal Capital Territory. Abuja and the register shall
17 specify the name address of every member for the time being resident that
18 State the class in which such member is for the time being placed by the
19 Council and the register shall be open to inspection by members of the
20 public at all reasonable times.

Register of
members

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

26 (b) Upon the expiration of that period, sends in like manner to the
27 person in question a second similar letter and receives no reply to that letter
28 within three months from the date of posting it. The Registrar may remove
29 the particulars relating to the person in question from the register:

30 Provided that, the Council may direct the Registrar to restore to the

Publication of
register and list
of corrections

1 appropriate part of the register any particulars removed there from under this
2 subsection.

3 7. -(1) It shall be the duty of the Registrar:

4 (a) to cause the register to be printed, published and put on sale to
5 members of the public not later than 12 months from the commencement of this
6 Act;

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

10 (c) To cause a print of each edition of the register and of each list of
11 corrections to be deposited at the principal offices of the Institute: and

12 (d) To keep the register and lists so deposited to be made available to
13 members of the public at all reasonable times for inspection.

14 (2) A documents purporting to be a print of an edition of a register
15 published under this section by authority of the Registrar. or documents
16 purporting to be prints of an edition of a register so published and of the list of
17 corrections to that edition so published, shall (without prejudice to any other
18 means of proof) be admissible in any proceedings as evidence that any person
19 specified in the document, or the documents read together, as being registered
20 was so registered at the date of the edition or of the list corrections, as the case
21 may be and that any person not so specified was not so registered.

22 (3) Where in accordance with subsection (2) of this section, a person
23 is, in any pro-ceding shown to have been or have been registered at a particular
24 date, he shall, unless the contrary is proved. be taken for the purposes or those
25 proceedings as having at all material times thereafter continued to be, or not to
26 be so registered.

27 PART IV - REGISTRATION

Registration of
Members

28 8. -(1) Subject to section 9 of this Act and to rules made under section
29 6 (3) of this Act, a person shall be entitled to be registered as a member of the
30 profession if he satisfies the Council that:

1 (a) Immediately before the commencement of this Act, he holds a
2 qualification approved for membership of any of the professional bodies
3 mentioned in the Fourth Schedule to the Act or any other professional body
4 approved in Nigeria on the recommendation of the Council.

5 (b) Before the 1st January 2011, he was a graduate of any Nigeria
6 or foreign tertiary institution with two years' post-graduation experience;

7 (c) he is a citizen of Nigeria and was immediately before the
8 commencement of this Act, a Director or its equivalent in the public service
9 of the Federation or of a State or Local Government or any other
10 organization or agency or private sector with equivalent rank provided he
11 possesses a Bachelors' Degree or its and has been involved in human capital
12 development, supervising between 5 – 20 employees or more.

13 (d) He has obtained an approved Degree or its equivalent from any
14 recognized tertiary institution in Nigeria and passed the professional
15 module conducted by the Academy for Human Capital Development.

16 (2) Subject as aforesaid, a person shall be entitled to be registered
17 under the Act if he holds such certificate as may be recognized by the
18 Council from time to time.

19 (3) An application for registration under this Act shall in addition to
20 evidence of qualification, satisfy the Council that:

21 (a) He is of good character;

22 (b) He has attained the age of twenty-one years; and

23 (c) He has not been convicted in Nigeria or elsewhere of an offence
24 involving fraud or dishonesty.

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

29 (5) Any entry directed to be made in the register, under subsection
30 (4) of this section, shall show that the registration is provisional and no entry

1 so made be converted to full registration without the consent of the Council
2 signified in writing in that behalf.

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

Approval of
qualification, etc.

6 9. -(1) The Council may approve any institution for the purposes of
7 this Act and may for those purposes approve.

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

13 (b) any qualification which, as a result of an examination taken in
14 conjunction with a course of training approved by the Council under this
15 section, is granted to candidates reaching a standard at the examination
16 indicating in the opinion of the Council, that the candidates have sufficient
17 knowledge and skill for the practice of the profession.

Supervision of
Instructions and
Examinations
Leading to
Approved
Qualifications

18 10. -(1) The Council may, if it thinks fit, withdraw any approval given
19 under this section in respect of any course, qualification or institution; but
20 before withdrawing such approval the Council shall:

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

24 (b) afford such person an opportunity of making to the Council
25 representations with regard to the proposal; and

26 (c) take into consideration any representation made as respects the
27 proposal in pursuance of paragraph (b) of this subsection.

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

1 (4) The Panel shall be appointed by the Council and shall consist of
2 three members, one of whom shall not be a member of the Council.

3 (5) The provisions of the Second Schedule to this Act shall, so far as
4 applicable to the Disciplinary Committee and panel respectively, have effect
5 with respect of those bodies.

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

Penalties for
unprofessional
conduct, etc.

8 **12. -(1) Where:**

9 (a) a person registered under this Act is judged by the Committees to
10 be guilty of infamous conduct in any professional respect;

11 (b) a person is convicted, by court or tribunal in Nigeria or elsewhere
12 having power to award imprisonment, of an offence (whether or not punishable
13 with imprisonment) which in the opinion of the Disciplinary Committee is
14 incompatible with the Status of a member of the Institute; or

15 (c) the Disciplinary Committee is satisfied that the name of the person
16 has been fraudulently registered, the Committee may, if it thinks fit give a
17 direction reprimanding that person or ordering the Registrar to strike his name
18 off the relevant part of the register.

19 (2) The Disciplinary Committee may, if thinks fit, defer its decision as
20 to the giving of a direction under subsection (1) of this section until a
21 subsequent meeting of the Disciplinary Committee; but:

22 (a) no decision shall be deferred under this subsection for period
23 exceeding two years in the aggregate; and

24 (b) no person shall be a member of the Disciplinary Committee for the
25 purposes of reaching decision which has been deferred or further deferred,
26 unless he was present a member of the Disciplinary Committee when the
27 decision was deferred.

28 (3) For the purpose of subsection (1) (b) of this section, a person shall
29 not be treated as convicted, unless the conviction stands at a time when no
30 appeal or further appeal is pending or may (without extension of time) be

1 brought in connection with the conviction.

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

5 (5) A person to whom a direction relates may, at any time within 28
6 days from the date of service on the him of notice of the direction, appeal
7 against the direction to the Court of Appeal and the tribunal may appear as
8 respondent to the appeal and, for the purpose enabling directions to be given
9 as to the costs of the appeal and of proceedings before Court of Appeal the
10 Disciplinary Committee shall be deemed to be a party thereto whether or not
11 it appears on the hearing of the appeal.

12 (6) A direction of the Disciplinary Committee under subsection (1)
13 of this section, shall take effect where:

14 (a) no appeal under this section brought against the direction
15 within the time limited for the appeal, on the expiration of that time;

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

18 (c) an appeal is brought and is not withdrawn or struck out as
19 aforesaid, if and when the appeal is dismissed and shall not take effect
20 except in accordance with the foregoing provisions of this sub-section.

21 (7) A person whose name is struck off the register in pursuance of a
22 direction of the Disciplinary Committee under this section, shall be entitled
23 to be registered again except in pursuance of a direction in that behalf and a
24 direction under this section for the striking off of a persons' name from the
25 register, may prohibit an application under this subsection by that person
26 until the expiration of such period from the date of the direction (and where
27 he has duly made such an application, from the date of his last application) as
28 may be specified in the direction.

1 *The Investigating Panel*

2 1. The quorum of the Investigating Panel shall be three.

3 2. -(1) The Investigating panel may at any of its meetings attended by
4 all the members of the Investigating Panel, make standing orders with respect
5 to the Investigating Panel;

6 (2) Subject to the provisions of any such standing orders, the
7 Investigating Panel may regulate its own procedure.

8 *Miscellaneous*

9 1. A person ceasing to be a member of the Disciplinary Committee or
10 the Investigating Panel shall be eligible for appointment as a member of the
11 Disciplinary Committee or Investigating Panel, as the case may be.

12 2. A person may, if otherwise eligible, be a member of both the
13 Disciplinary Committee and the Investigating Panel: but no person who acted
14 as a member of Investigating Panel with respect to any case shall act as a
15 member of the Disciplinary Committee with respect to that case.

16 3. The Disciplinary Committee or the Investigating panel may act not
17 with standing any vacancy in its membership, and the proceedings of either
18 body shall not be invalidated by any irregularity in the appointment of a
19 member of that body or subject to paragraph 7 (2) of this Schedule, by the
20 reason of the fact that any person who was not entitled to do so took part in the
21 proceedings of that body.

22 4. Any document authorized are required by virtue of this Act to be
23 served on the Disciplinary Committee or the Investigating Panel shall be
24 served on the Registrar.

25 5. Any expenses of the Disciplinary Committee or the Investigating
26 Panel shall be defrayed by the Institute.

27 **PART VI**

28 13. Any person not a member of the Chartered Institute of Human
29 Capital Development of Nigeria registered under the laws of Nigeria (in this
30 Act referred to as “the Registered Institute”) who but for this Act, would have

1 been qualified to apply for and obtain membership of the Registered
2 Institute may, within the period of three months beginning from the
3 commencement of this Act apply for membership of the Institute in such
4 manner as may be prescribed by rules made by the Council; and if approved,
5 he shall be registered according to his qualification.

6 **14. -(I)** Subject to subsection (2) of this section, a person shall be
7 deemed to practice as a member of the profession if: in consideration of
8 remuneration received or to be received and whether by himself or in
9 partnership with any other person:

When a person
is deemed to
practice as a
member

10 (a) he engages himself in the practice of human capital
11 development or holds himself out to the public as a member of the Institute:

12 (b) he renders professional service or assistance in or about matters
13 of principle or detail relating to human capital development;

14 (c) he renders any other service which may by regulations made by
15 the Council, be designed as service constituting human capital development
16 practice: or

17 (d) describes himself as a human capital development practitioner.

18 (2) Nothing in this section shall be construed so as to apply to
19 persons who, while in the employment of any Government, or engaged in
20 commerce and industry perform the duties or any of the duties of a human
21 capital developer.

22 **15. -(1)** The Council may make rules:

Rules as to
practice, etc.

23 (a) For the training of suitable persons in human capital
24 development practice: and

25 (b) For the supervision and regulation of the engagement training
26 and transfer of such persons.

27 (2) The Council may also make rules:

28 (a) Prescribing the amount and due date for repayment of the
29 annual subscription;

30 (b) Prescribing the form of license to practice to be issued annually

1 or, if the Council thinks fit by endorsement on an existing license; and

2 (c) restricting the right to practice in default payment of the amount of
3 the annual subscription where the default continues for longer than such period
4 as may be prescribed by the rules.

5 (3) Rules when made under this section shall, if the chairman of the
6 Council so directs, be published in Gazette.

Provision of
library facilities,
etc.

7 **16. The Institute shall:**

8 (a) Provide and maintain a library comprising of book and
9 publications for the advancement of Science and Art of human capital
10 development, and cognate subjects as applied to all or any of the professional
11 services provided by human capital development practitioners, engaged in
12 public practice, industry and commerce or the civil service and such other
13 books and publications as the Council may think necessary for the purpose;

14 (b) Encourage research into human capital development and
15 management and such subject as may be relevant to human capital
16 development to the extent that the Council may, from time to time consider
17 necessary.

Offences

18 **17.-(1)** If any person, for the purpose of procuring the registration of
19 the any name, qualification or other matter:

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

22 (b) Recklessly makes a statement which is false in a material
23 particular, he shall be guilty of an offence.

24 (2) if, on or after the relevant date, any person who is not a member of
25 the Institute practices or holds himself out to practice for or in expectation of
26 reward or takes to use any name, title addition or description implying that he
27 is a member of the Institute shall be guilty of an offence:

28 Provided that, in the case of a person falling within section 13 of this Act:

29 (a) this subsection shall not apply in respect of anything done by him
30 during the period of three months mentioned in the section; and

1 (b) if within that period he duly applies for membership or the
2 Institute then, unless within that period he is notified that his application has
3 not been approval, this subsection shall not apply in respect of anything
4 done by him between the end of that period and the date on which he is
5 registered or is notified as aforesaid.

6 2. If the Registrar or any other person employed by or on behalf of
7 the Institute willfully makes any falsification in any matter relating to the
8 register, he shall be guilty of an offence.

9 3. A person guilty of an offence under this section shall be liable:

10 (a) on summary conviction, to a fine of an amount not exceeding
11 NI00,000;

12 (b) on conviction on indictment, to a fine of an amount not
13 exceeding NI00,000 or to imprisonment for a term not exceeding two years,
14 or both such fine and imprisonment.

15 4. Where an offence under this section has been committed by a
16 body corporate is proved to have been committed with the consent or
17 connivance of or to be attributable to any neglect on the part of any director,
18 manager or other similar officer of the body corporate or any person
19 purporting to act in any such capacity he as well as the body corporate, shall
20 be deemed to be guilty of that offence and shall be liable to be prosecuted
21 and punished accordingly.

22 5. In this section, "the relevant date" means the third anniversary
23 of the coming into force of this Act or such earlier date as may be prescribed
24 for the purposes of this section published in the Gazette.

25 18. -(1) Any regulations made under this Act, shall be published in
26 the Gazette as soon as may be applicable after they are made.

Regulations and
rules

27 (2) Rules made for the purposes of this Act, shall be subject to
28 confirmation by the Institute at its next general meeting or at any special
29 meeting of the Institute convened for that purpose, and if annulled, shall
30 cease to have effect on the day.

Transfer to the
Institute of
certain assets
and liabilities

1 **19. -(1) On the commencement of this Act:**
2 (a) all assets and liabilities held or incurred immediately before that
3 day by or on behalf of the registered Institute shall, by virtue of this Act and
4 without further assurance, vest in the Institute and be held by it for the purposes
5 of the Institute:
6 (b) the registered Institute shall cease to exist; and
7 (c) subject to subsection (2) of this section, any act or thing made or
8 done by the Registered Institute shall be deemed to have been made or done by
9 the Institute.
10 (2) The provision of the Third Schedule to this Act shall have effect
11 with respect to matters arising from the transfer by this section to the Institute
12 of the property of the Incorporated Institute and with respect to the other
13 matters mentioned therein.

Interpretation

14 **20.** In this Act, unless the context otherwise requires:
15 “Human Capital Development Trainee” means a graduate of the Academy for
16 Human Capital Development undergoing the prescribed practical experience
17 programme;
18 “Institute” means the Chartered Institute of Human Capital Development of
19 Nigeria established by Section 1 of this Act;
20 “Council” Means the Council established as the governing body of the Institute
21 under Section 3 of this Act;
22 “Disciplinary Committee” means the Chartered Institute of Human Capital
23 Development of Nigeria Disciplinary Committee established under Section 11
24 of this Act;
25 “Fees” includes annual subscriptions;
26 “Registered Institute” means the Chartered Institute of Human Capital
27 Development of Nigeria registered in accordance with existing laws;
28 “Investigation Panel” means the Chartered Institute of Human Capital
29 Development of Nigeria investigating panel established under section 11 of
30 this Act;

- 1 “Member of the Institute” means a registered member of the Institute;
- 2 “The Academy of Human Capital Development” means the institution
- 3 established as the training arm of the Institute;
- 4 “A.CIHCD” means Associate Member, Chartered Institute of Human
- 5 Capital Development of Nigeria;
- 6 “M.CIHCD” means Full member, Chartered Institute of Human Capital
- 7 Development of Nigeri;
- 8 “F.CHICD” means Fellow, Chartered Institute of Human Capital
- 9 Development of Nigeria;
- 10 “President and Vice-President” means respectively the office-holders under
- 11 those names in the Institute;
- 12 “Profession” means the profession of Human Capital Development;
- 13 “Human Capital Development Practitioner” means a member of the
- 14 Institute licensed to practice as a human capital development consultant;
- 15 “Register” means the register maintained in pursuance of section 6 of this
- 16 Act;
- 17 “Board of Trustees” – means the body responsible for the stewardship of the
- 18 Institute;
- 19 21. This Bill may be cited as the Chartered Institute of Human
- 20 Capital Development of Nigeria Bill, 2015.

Short Title

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Human Capital Development of Nigeria, charged, among other things, with the responsibility of entrenching professional excellence and setting the standards for best practices in learning and performance among human capital development practitioners in Nigeria.

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SCHEDULES

FIRST SCHEDULE

Supplementary Provisions relating to the Council

Qualifications and Tenure of Office of Members of the Council

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

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

3. Any nominated member of the Council may, by notice in writing under his hand addressed to the President, resign his office and any appointed members may with the consent of the Minister or Appointing Authority in the same manner resign his office,

4. A person who retires from or otherwise ceases to be a nominated member of the Council shall be eligible again to become a member of the Council, and any appointed member may be re-appointed.

5. Nominations to the Council shall be held in such manner as may be prescribed by rules made by the Council.

6. If for any reason, a member of Council vacates office and:

(a) such member was nominated any other body, the Minister or that body may appoint another fit person to fill that vacancy: or

(b) such member was nominated, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Association appears to warrants the tilling of the vacancy, co-opt a fit person for such time as aforesaid.

Proceedings of the Council

2. -(1) Subject to the provisions of this Act, the Council may in the name of the Association make standing orders regulating the proceedings of the Institute or of any committee thereof.

1 meeting shall appoint one of their number to preside at the meeting.

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

7 Committees

8 5. -(1) The Council may appoint one or more committees to carry
9 out on behalf of the Institute or of the Council such functions as the Council
10 may determine.

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

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

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

19 SECOND SCHEDULE

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

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

28 3. Any document purporting to be a document duly executed
29 under the seal of the Institute shall be received in evidence and shall, unless
30 the contrary is proved, be deemed to be so executed.

1 implied) to a member or members of the Council or the Registered Institute
2 or an officer of the Registered Institute, there were substituted, as respect
3 anything falling to be done on or after the commencement of this Act. a
4 reference to a member or members of the Council under this Act or the
5 officer of the Registered Institute who correspond- as nearly as may be to the
6 member or officer in question of the Registered Institute.

7 2. Other documents which refer, whether specially or generally, to
8 the Registered Institute, shall be considered in accordance with sub-
9 paragraph (1) of this paragraph so far as applicable.

10 3. Without prejudice to the generality or the foregoing provisions
11 of this Schedule. Where, by the operation of this Act, any right liability or
12 obligation vests in the Institute the Institute and all other persons shall, as
13 from the commencement of this Act, have the same rights, power and
14 remedies (and, in particular, the same rights as to the taking or resisting of
15 legal proceedings or the making or resisting of application to any authority)
16 for ascertaining, perfecting or enforcing that right, liability or obligation as
17 they would have had if it had at all times been a right, liability or obligation
18 of the Institute.

19 4. Any legal proceedings or application an; authority pending on
20 the appointed day by or against the Incorporated Institute and relating to
21 assets or liabilities transferred by this Act to the Institute may be continued
22 on or after that day or against the Institute.

23 5. If the law in force at the place where any property transferred by
24 this Act is situate provides for the registration or transfers of property, the
25 law Shall, so far it provides for alterations of a register (but not for avoidance
26 or transfers. The payment of fees or any other matters) apply with the
27 necessary modifications to the transfer of the property aforesaid: and it shall
28 be the duty of the Institute to furnish the necessary particulars of the transfer
29 to the officer of the registration authority, and for that officer to register the
30 transfer accordingly.

1 *Transfer of Function etc*

2 6. The members of the Council of the Registered Institute shall be
3 deemed to be the members of the Council of the Institute until the date
4 determined in pursuance of the foregoing subparagraph when the Institute shall
5 have its first annual general meeting and they shall cease to hold office at the
6 conclusion of such meeting,

7 7. Any person who immediately before the appointed day, held office
8 as the President or Vice-President of the Council of the registered Institute by
9 virtue of the articles of the registered Institute shall on that day become the
10 President or, as the case may be the Vice-President of the Institute, and shall be
11 deemed to have been appointed:

12 (a) to that office in pursuance of the provision or this Act
13 corresponding to the relevant provision in the said articles of the Incorporated
14 Institute; and

15 (b) on the date on which he took office, or last took office, in
16 pursuance of the relevant provision of those articles.

17 8. The members of the registered Institute shall, as from the appointed
18 day, be registered as members of the Institute, and without prejudice to the
19 generality of the provisions of this Schedule relating to the transfer of property,
20 any person, who, immediately before the appointed day, was a member of the
21 staff of the registered Institute shall on that day become the holder of an
22 appointment with the Institute with the status, designation and functions which
23 correspond as nearly as may be to those which appertained to him in his
24 capacity as a member of the staff.

25 9. Any person being an office-holder on or member of the Council of
26 the registered Institute immediately before the appointed day and deemed
27 under this paragraph to have been appointed to any like position in the Institute,
28 or on the Council of the Institute and thereafter ceasing to hold office otherwise
29 than by reason of his misconduct, shall be eligible for appointment to office in
30 the Institute or to membership of the Council, as the case may be.

1 *time to time, and the annual subscriptions shall be liable to be paid in advance.*

2 *Admission of Members*

Application for
membership

3 7. All applications for admission to membership of the Institute shall
4 be made to the Council on the appropriate form, accompanied by such other
5 information as the Council may, from time to time determine and the Council
6 shall have full discretion (subject only to these Regulations and to the Rules
7 made there under) to determine the admission of an applicant, and no applicant
8 shall be admitted as a member unless he has first satisfied the Council as to his
9 competence.

Compliance with
regulations, etc.

10 8. A person shall, upon applying for admission, sign an undertaking
11 that he shall. If admitted, and for us long as he is a member, observe the
12 Regulations and Rules of the Institute for the time being in force, and he shall
13 not use the professional designations or such other designatory letters denoting
14 membership except while as a member of the Institute.

Cessation of
membership on
death

15 9. Any person ceasing by death or otherwise to be a member of the
16 Institute, shall not, nor shall his representative have any claim upon or interest
17 in the funds of the Institute and the provisions of these Regulations shall be
18 without prejudice to the rights of the Institute, at the time of his ceasing to be a
19 member.

20 *Cessation of membership*

Resignation of
membership

21 10. -(1) A member of the Institute may resign his membership on
22 giving notice to the Council, but shall remain liable to pay any subscription due
23 from him as at the date of receipt of such notice.

24 2. A member of the Institute shall ipso facto cease to be member of the
25 Institute in the event of his annual subscription or such other contribution to the
26 Institute becoming payable, but shall nevertheless be liable to pay the amount
27 of the annual subscriptions and such other arrears or subscription or other sums
28 due by him to the Institute and shall remain liable for the payment of the arrears
29 for the period that his membership continued until the date when all such
30 subscriptions, arrears, and other sums were fully paid.

1 *retiring by rotation and fixing of the remuneration of the Auditor.*

Quorum

2 **16.** No business of the Institute shall be transacted at any general
3 meeting unless a quorum of fifteen members is present at the time when the
4 meeting proceeds to business. The quorum at any extraordinary general
5 meeting of the Institute shall be thirty-five.

Adjournment or
dissolution

6 **17.** If within half-hour from the time appointed for the meeting, a
7 quorum is not formed, the meeting if convened on the requisition of members
8 shall be dissolved and in any other case it shall stand adjourned to the same day
9 in the next week, at the same place or such other place as the President shall
10 appoint, and if at such adjourned meeting a quorum is not present within half-
11 hour from the time appointed for the meeting, the members present shall for
12 purposes of that meeting form a quorum.

Unfinished
business to be
discussed

13 **18.** The president may, with the consent of the members of any
14 meeting at which a quorum is present (and shall, if so directed by the meeting.)
15 adjourn the meeting from time to time and from place to place, but no business
16 shall be transacted at any adjourned meeting other than the business let
17 unfinished at the meeting from which the adjournment took place.

18 **2.** When a meeting is adjourned pursuant to sub-paragraph (I) of this
19 regulation for ten days or more, notice of the adjourned meeting shall be given
20 as in the case of an original meeting, save as aforesaid it shall not be necessary
21 to give any notice of an adjournment or of the business to be transacted at an
22 adjourned meeting.

President of the
Council to preside
at meetings of
the Council

23 **19.-(1)** The President of the Council shall preside at every general
24 meeting of the Institute and if there be no such Chairman, or if at any meeting
25 he shall not be present within fifteen minutes after the time appointed for
26 holding the meeting, or shall be unwilling to preside, the Vice-President of the
27 Council shall preside and in his absence a member of the Council evaluated by
28 the members present shall preside.

How resolutions
are decided

29 **20.** At all general meetings of the Institute, a resolution put to the vote
30 of the meeting shall be decided by a show of hands by a majority of the

1 members present and voting, unless before or upon the declaration of the
 2 result of the show of hands a poll be demanded in writing by the President or
 3 by elected five members present in person and entitled to vote and unless a
 4 poll be so demanded a declaration by the President of the
 5 meeting that a resolution has been earned by a particular majority, shall be
 6 conclusive and an entry made to that effect in the minute book of the
 7 Institute, shall be conclusive evidence therefore, without proof of the
 8 number or proportion of the votes recorded in favor of or against such
 9 resolution.

10 **21.** If poll is demanded, it shall be taken at such time and place and
 11 in such manner as the President of the Council shall direct and the result of
 12 the poll shall be deemed to be the resolution of the meeting at which the poll
 13 was demanded.

How Poll is to
be taken

14 **22.** No poll shall be demanded on the election of a President of a
 15 meeting or on any question or adjustment.

No poll in
certain cases

16 **23.** In the case of an equality of votes, whether on a show of hands
 17 or an a poll, the Chairman of the meeting at which the show of hands takes
 18 place or at which the poll is demanded shall be entitled to a second or casting
 19 vote.

Equality of votes

20 **24.** The demand of a poll shall not prevent the continuance of a
 21 meeting for the transaction of any business other than the question on which
 22 a poll has been demanded.

Consequence of
a demand for
a poll

23 **25.** Every member of the Institute whose subscription shall have
 24 been paid for the current year shall be entitled to one vote every meeting of
 25 the Institute.

Votes of
members

26 **26.** Save as herein expressly provided, no person shall, at a general
 27 meeting of the Institute other than a member duly registered and who has
 28 paid every subscription and such other sum (if any) which shall be due and
 29 payable to the institute in respect of his membership, be entitled to be present
 30 or to vote on any question either personally or by proxy or as proxy for any

Members in
arrears

25 use by the Institute.

26 **2.** All legal matters required to be executed by the Institute shall
 27 be signed by the President and the Registrar and sealed with the common
 28 seal of the Institute.

29 **3.** The common seal of the Institute shall not be affixed to any
 30 instrument except by authority of a resolution of the Council, and in the

1 presence of at least two members of the Council and the Registrar, and the
2 members and Registrar shall sign instrument to which the common seal shall
3 be affixed in their presence and in favor of any purchaser on person bona fide
4 dealing with the Institute and such signatures shall be conclusive of the fact that
5 the common seal was properly affixed.

How rules may
be made or varied
and the matters
to which they
may relate

6 **38. -(1)** The Council may, from time to time, make rules for carrying
7 on the business of the Institute and may at any time at an annual general
8 meeting vary any rules so made, and all rules so made and for the time being in
9 force shall be binding on the members of the Institute and shall have full effect
10 accordingly.

11 **2.** The subject of the rules referred to in sub-paragraph (1) of this
12 regulation shall among other things, include the matters set out hereunder, that
13 is:

14 (a) the annual or other subscriptions or payment to be payable by
15 members of the Institute;

16 (b) the rights and privileges which shall be accorded to the members
17 of the Institute;

18 (c) the qualifications restrictions and conditions which will be in
19 accordance with the provision of section 8 of the Act;

20 (d) the qualifying initials and designation to be used by members of
21 the Institute;

22 (e) committees connected with the management of the Institute, the
23 Registrar and all the officers of the Institute (other than the auditors) and the
24 appointment, removal, qualifications, disqualifications, duties, functions,
25 powers and privileges of the Registrar and all other officers, of the Institute
26 (other than auditors) and members of the committees;

27 (f) branches or district centers committees;

28 (g) creation and maintenance of the fund of the Institute;

29 (h) arrangements with other associations or institutes for reciprocal
30 concession:

1 (i) the year-book of the Institute, journals publication of papers or
2 books or such other papers as may be conducive to the welfare and
3 advancement or the objectives of the Institute;

4 (j) the postal ballot for the purpose of nominating members of the
5 Council and the procedure in connection therewith;

6 Provided that no rules shall be made pursuant to this regulation which would
7 amount to such an addition or an alteration of those Regulations which may
8 only lawfully be made at a special resolution of the Institute.

9 *Disqualification of Members of the Council*

10 **39.** The office of a member of the Council shall become vacant if:

Vacation of
office

11 (a) a receiving order is made against him;

12 (b) he makes any arrangement with his creditors:

13 (c) he becomes a lunatic or is of unsound mind: or

14 (d) .he ceases to be a member of the Institute;

15 (e) by notice in writing to the Institute he resigns his office: or

16 **40.** -(1) At an annual general meeting of the Institute one third of
17 the members of the Council for the time being or if their number is not a
18 multiple of three, then the number nearest to but not exceeding one third,
19 shall retire from office,

One third of
members of
Council to retire

20 **2.** A retiring member of the Council shall retain his office until the
21 dissolution or adjournment of the meeting at which his successor shall be
22 nominated or it is determined not to fill his place.

23 **41.** -(1) The members of the Council retiring shall be those who
24 have served longest in office since their last nomination or appointment and
25 as between members of equal seniority, the members to retire shall, in the
26 absence of an agreement, be selected from among them by ballot.

Retirement by
rotation

27 **2.** The length of time a member has been in office shall be
28 computed from his last nomination or appointment.

29 **3.** A retiring member of the Council may be eligibly for re-
30 nomination.

Renomination of retiring member	1	42. A retiring member of the Council eligible for re-nomination shall,
	2	unless he shall have signified his desire not to offer him self for re-nomination,
	3	be deemed to be nominated.
Vacancies to be filled	4	43. The Institute may, at the meeting at which any member of the
	5	Council retires in any manner whatsoever, till the vacant office of the member
	6	by nominating another member thereto unless at such meeting it shall be
	7	determined to reduce the number of members of the Council.
Notice to be given for re-nomination	8	44. -(1) No person, except as a member of the Council, retiring at the
	9	meeting or seeking re-nomination, and on the recommendation of the Council.
	10	shall be eligible for nomination to the Council except if notice in writing shall
	11	be given to the Registrar not less than one month before the day appointed for
	12	the meeting and the notice shall be required to be signed by ten members duly
	13	qualified to vote on such nomination, and also the notice in writing signed by
	14	the person nominated of his willingness to be nominated.
	15	2. No nomination shall be valid if the person nominated, or any of his
	16	nominators, is under any pecuniary liability to the Institute
Removal of members	17	45. -(1) In the event of any member of the Council failing to attend six
	18	consecutive meetings of the Council, of which he had been duly notified. The
	19	Council may, unless his absence was caused by illness (or other circumstances
	20	which in the opinion of the Council may cause his absence) resolve that he shall
	21	cease to be a member of the Council and the Institute may nominate another
	22	member to till the vacancy thus created.
	23	2. The Institute may, by an ordinary resolution of which special
	24	notice shall have been given, remove any member of the Council before the
	25	expiration of his tenure of office, and may by an ordinary resolution appoint
	26	another member in his stead provided that any person so appointed shall retain
	27	his office for only such period as the member in whose place he was appointed
	28	would have held the same if he had not been removed.

1 *Proceedings of the Council*

2 46. -(1) The Council may meet together for the dispatch of its
3 business, adjourn and otherwise regulate its meetings as it may think fit. And
4 determine the quorum necessary for the transaction of its business and
5 unless otherwise determined by the Council, the quorum at every meeting of
6 the Council shall be five.

Meetings of
Council and
quorum and
casting vote of
President

7 2. Questions arising at any meeting of the Council shall be decided
8 by a majority of votes and in the case of an equality of votes, the President
9 shall have a second or casting vote.

10 47. -(1) Council meetings shall be called by the Registrar at any
11 time at the request of the president or the members of the Council giving
12 fourteen clear days' notice to the members of the Council.

Fourteen days'
notice of meeting
of Council
Required

13 2. A member of the Council who IS absent from Nigeria shall not
14 be entitled to notice of meeting.

15 48. -(1) The Council shall, from time to time nominate one of their
16 number to act as President and another as Vice-President, both of whom
17 shall hold office for two consecutive years after the annual general meeting.

Nomination of
President and
Vice-President

18 2. The President, or in his absence the Vice-President, shall
19 preside at all meetings of the Council and in their absence within thirty
20 minutes after the time appointed for holding the meeting. The members of
21 the Council present shall appoint one of their numbers to be the President for
22 purposes of that meeting.

23 49. A meeting of the members of the Council for the time being at
24 which a quorum is present shall be competent to exercise all the authority,
25 powers and discretions by or under the regulations of the Institute for the
26 time being vested in the Council.

Quorum
competent to
exercise all the
powers of
Council

27 50.-(1) The Council may appoint committees in accordance with
28 the rules for the time being in force, and subject to any rules, the Council
29 may delegate any of its functions to committees consisting of such number
30 of members of the Council or of the Institute, as it thinks fit, and any

Committees of
the Council

1 committees so formed shall conform to any regulations imposed on it by the
2 Council.

3 2. The meetings and proceedings of any such committee shall be
4 governed by the provisions of these regulations for regulating its meetings.

All acts done by
Council or
committees to
be valid

5 51. All acts bona fide done at any meeting of the Council for any
6 person acting as a member of the Council, or of any committee,
7 notwithstanding that there was any defect in the appointment on the Council or
8 committee or the appointment of any person or member of the Council or
9 committee acting as aforesaid, or that they or any of them were not qualified at
10 the time of their appointment, or have become disqualified shall be as valid as if
11 such Council or committee were appointed without any defect.

Minutes of
proceedings

12 52. The Council shall cause proper minutes to be kept of the
13 proceedings of the meetings of the Institute, Council or committees and all
14 businesses transacted at such meetings or any such minutes of any meeting if
15 purporting to be signed by the chairman of the meeting, or by the chairman of
16 all succeeding meetings, shall be conclusive evidence of the proceedings
17 therein without any further proof of the fact therein stated.

18 *Notice*

Notices of
members

19 53.-(1) A notice may be served by the Institute Upon any member
20 either personally or by sending it through the post in a prepaid letter, addressed
21 to the member at his last known registered address as appearing in the register
22 of members.

23 2. Any member described in the register of members by an address
24 not within Nigeria, shall, from time to time, give the Institute an address within
25 Nigeria at which notices may be served upon him at such address, but save as
26 aforesaid, only those members who are described in the register of members by
27 an address within Nigeria shall be entitled to receive any notice from the
28 Institute.

29 3. Any summons, notice, order or such other documents required to
30 be sent to or served upon the Institute or upon any officer of the Institute, may

1 be sent or served by leaving the same, or sending it through the post in a pre-
2 paid letter addressed to the Institute or to such officers at the office,

3 4. Any notice, if served by post, shall be deemed to have been
4 served on the day following that on which the letter containing the same is
5 put into the post, and in providing such service it shall be sufficient to prove
6 that the letter containing the notice was properly addressed and put into the
7 post office as a pre-paid letter.

8 *Rules for regulating Proceeding.*

9 54. -(1) It shall be lawful for the Council, from time to time, to
10 make rules regulating proceedings, rescind or alter rules regulations, and
11 standing orders for regulating its proceedings, and the procedure of the
12 Institute and the management of the members thereof of the calling of
13 notices of procedure at meetings, nominations the services of documents
14 and for all other matters affecting the Institute.

Rules for
regulating
procedure

15 Provided always that no rule regulation or standing order shall have any
16 validity or effect which is contrary to the provisions of these Regulation as
17 can only lawfully be made by a special resolution of the Institute
18 accordingly a rule, regulation or standing order of the Institute shall not be
19 made except by a resolution of the Council passed by a majority of two
20 thirds of the members present and voting 'It a meeting of the Council.

21 *Registered Office*

22 55. The registered office of the Institute shall be in Nigeria at such
23 places as the Council may, from time to time, determine and where any
24 change in the place of the registered office of the Institute shall occur it shall
25 be notified in writing to all members of the Institute within seven days of the
26 change being made.

Registered
office

27 56. The income and property of the Institute whensoever derived
28 shall, be applied solely towards the promotion of the objectives of the
29 Association as provided in the Act and such other subsidiary legislation
30 made thereunder and no portion thereof shall be paid or transferred directly

Income and
Property

1 or indirectly, by way of dividend, bonus or otherwise.

Remuneration

2 **57. -(1) Nothing in these regulations shall prevent the payment. in**
3 **good faith, of reasonable and proper Remuneration to any officer or servant of**
4 **the Institute or to any member of the Institute in return for any service actually**
5 **rendered to the Institute, provided that no member of the Council shall be**
6 **appointed to any salaries office of the Institute and no Remuneration or other**
7 **benefit in money or money's worth shall be given by the Institute to any**
8 **member of the Council except repayment of out-of-pocket expenses or**
9 **reasonable and proper rent for premises demised, or let to the Institute.**

10 **(2) The provisions of sub-paragraph (1) of this regulation shall not**
11 **apply to any payment to any body corporate or to a member of the Institute**
12 **made by a body corporate in which the member shall hold not more than one**
13 **hundredth part of the share capital, and the member shall not be bound to**
14 **account for any share of profits he may receive in respect of any such payment.**

SCHEDULE

[Regulation 28]

Chartered Institute of Human Capital Development of Nigeria

.....
of.....
being a member of the Chartered Institute of Human Capital Development of Nigeria hereby
appoint.....
.....of
.....
a member of the Chartered Institute of Human Capital Development of Nigeria and failing him
.....
of.....
another member of the Chartered Institute of Human Capital Development of Nigeria, as my proxy to
vote on my behalf at the annual general meeting of the Chartered Institute of Human Capital
Development of Nigeriato be held on the..... day of.....20.....or
at any adjournment date.
As witness my hand this.....day of.....20.....

- 1 (g) Affiliate Development and Support;
2 (h) Membership Growth and Retention;
3 (i) Branches and Districts and Benevolence;
4 (j) Research and Strategy;
5 (k) Such other committees as may be determined by the Council
6 from time to time.

7 (2) Each committee shall consist of five members, or such other
8 number of members as the Council may deem necessary, unless otherwise
9 determined by the Council; three members shall form a quorum of each of
10 the committees and shall meet as and when required for the transaction of its
11 business.

12 (3) At the first meeting of each committee, the members thereof
13 shall appoint one of their members to act as chairman; so however that a
14 Council member shall not be qualified to be the Chairman of a branch or
15 district committee.

16 (4) The Council shall have the power to fill any vacancies on any
17 committee of the Council and to suspend or remove any member for
18 misconduct.

19 (5) The President and Vice-President of the Council, for the time
20 being shall be ex-officio members of all committees of the Council.

21 (6) Each committee of the Council shall exercise such powers and
22 perform such duties as are specified by the Council, or as may be vested in or
23 assigned to it by the Council from time to time, and all matters dealt with
24 shall be submitted to the Council at the next succeeding meeting of the
25 Council.

26 *Power and Duties of Committees*

27 4. The powers and duties of the committees shall be as follows:

28 (a) the finance and General Purposes Committee shall deal with
29 matters relating to:

30 (i) the accounts and financial affairs of the Institute;

Powers and Duties
of Committees

1 (ii) the sanctioning of items of expenditure, and drawing and signing
2 of cheques thereof; and

3 (iii) the investment of the funds of the Institute.

4 (b) The Membership Growth and Retention Committee shall deal
5 with matters relating to:

6 (i) the consideration of applications for admission to membership of
7 the Institute;

8 (ii) the welfare of members; and

9 (iii) students and accountant-in-training registration;

10 (c) The Affiliate Development and Support Committee shall deal with
11 all matters relating to:

12 (i) scrutinizing all applications for practicing certificates and
13 interviewing of members who wish to set up public practice and make
14 recommendations to the Council;

15 (ii) setting, from time to time, auditing standards and formulating
16 accounting standards to be adhered to by members of the association whether
17 as practitioners or non-practitioners; and

18 (iii) promoting interaction between the Institute's practitioners;

19 (d) the Education, Training and Examination Committee shall advise
20 and report to the Council on all matters relating to the professional
21 examinations, practical experience training, including regulations for the
22 conduct of professional examinations and supervising the Academy of Human
23 Capital Development of Nigeria;

24 (e) the Disciplinary Committee shall deal with the investigation of all
25 matters referred to it by the Council in accordance with section 11 (3) of the
26 Act;

27 (f) the Disciplinary Committee, in pursuance of the provisions of
28 section 11 of the Act, shall deal with all reports of the Investigating Panel on
29 matters relating to:

30 (i) unprofessional conduct of members; and

1 (ii) the conduct of members deemed to be derogatory to the
2 Institute.

3 (g) the Continuing Professional Education Committee shall deal
4 with matters relating to continuing professional education of members of
5 the Institute by organizing and arranging short courses from time to time;

6 (h) the Branches and Districts Benevolence Committee shall deal
7 with matters relating to:

8 (i) organizing the branches, and districts of the Institute in the
9 States of the Federation and the Federal Capital Territory, Abuja; and

10 (ii) setting guidelines, supervising and controlling the branches
11 and district.

12 (i) the Benevolent Fund Committee shall manage the fund
13 contributed by members of the Institute for the benefit of members in
14 financial difficulty and families of deceased members who require financial
15 assistance;

16 (j) the Research and Strategy Committee shall sponsor and make
17 provision, for the research on technical matters and areas of interest;

18 (k) the Strategic Partnership Committee shall formulate policies
19 from time to time, of the Institute's relationship with Nigerian and overseas
20 bodies and associations and government agencies both locally and
21 internationally;

22 (l) the Examinations Committee shall be responsible for obtaining,
23 and rating, and assessing the question-papers for the professional
24 examinations of the Institute for the Academy of Human Capital
25 Development, and marking the examination scripts;

26 5. -(1) When in the opinion of the Council, the members residing in
27 an area are sufficient in number to warrant the formation of a Branch or
28 District Centre of the Institute, the Council may take such steps as it
29 considered necessary to form such a Branch or District Centre.

30 (2) No Branch or District Centre shall be formed without the

Branches and
Districts

1 consent of the Council of the Institute.

2 (3) On the formation of a Branch or District Centre and at all times
3 during its existence, the Branch or District Centre shall conduct its affairs in
4 accordance with the regulations made by the Council from time to time.

5 (4) The Council shall have the right to dissolve a Branch or District
6 Centre for any of the following reasons:

7 (a) non-compliance with the Rules specified by the Council;

8 (b) the membership of the Branch or District Centre, in the opinion of
9 the Council warrants dissolution; or

10 (c) for any other reason which the Council deems it desirable in the
11 interest of the Association generally.

12 (5) All expenses of the Branches or District Centers shall be defrayed
13 by the Branch or District Centre, but the Council may make grants from the
14 funds of the Institute towards the formation and maintenance of the Branch or
15 District Centre or deduct such amounts as in its opinion are reasonable having
16 regard to the activities of the Branch or District Centre in connection with the
17 furtherance of the objects of the Institute.

Practicing
certificate

18 17.-(1) The condition for the issue of a practicing certificate shall be
19 that the member shows to the satisfaction of the Council that he has acquired
20 experience in public practice as a human capital manager in that capacity as a
21 practitioner assistance in the office of a member of the Institute who is in public
22 practice or any other approved practitioner's office.

23 (2) Members of the Institute in public practice shall be known and
24 called Human Capital Development Practitioners and the practice shall only be
25 full-time, therefore a member in any other gainful employment, whether in
26 industry, government or commerce, shall not be eligible to practice as a Human
27 Capital Development Consultant.

28 (3) A member practices as a Human Capital Development Consultant
29 if he holds himself out whether expressly or by implications to be practicing
30 accountancy as a professional qualified accountant or as an expert in

1 accounting, auditing, taxation or management matters.

2 (4) A member practices human capital development consultancy if
3 for reward he prepares workshops and seminars and training sessions.

4 (5) A member does not practice human capital development
5 consultancy as aforesaid by reason only that he does so in the course of his
6 duties as an employee of any other person.

7 (6) Only members of the Institute holding valid practicing
8 certificates of the Institute shall be known as and called human capital
9 development consultant.

10 (7) The practicing certificate shall be renewable annually at the
11 discretion of the Council and a member wishing to practice shall be required
12 to make an application for the practicing certificate.

13 (8) Any member who contravenes the provisions of this rule shall
14 be guilty of an offence and liable to disciplinary action, which may include:

15 (a) the name of such member being struck off the register;

16 (b) the suspension of the member for any period not exceeding one
17 year;

18 (c) the reprimand of such member; or

19 (d) an order that the member shall pay to the Association such sum
20 as the Council thinks fit in respect of the cost and expenses of and incidental
21 to the enquiry.

22 (9) In every case where the Council has exercised any of its
23 disciplinary powers in respect of any member, the Council shall notify that
24 member in writing accordingly and shall inform him of his right of appeal. ↻

25 (10) In any case where the Council causes the name of a member of
26 the Institute to be removed from the register, the Council may, as part of its
27 decision, fix a time before which the member whose name is so removed
28 shall be disqualified from applying to the Institute for re-admission.

29 (11) Only an auditor's report or other statement fixed with the
30 authorized seal issued by the Institute shall be deemed to have been prepared

1 *and signed by a human capital development consultant.*

Non refundable
fee

2 **18.** Members of the Institute making application for practicing certificates
3 shall, for time being, pay a non-refundable application fee as may be
4 prescribed by the Council as at the time of the receipt of the application.

5 *Subversive Activity*

Subversive
activity

6 **19.** When it is established that a person is involved in any subversive
7 activity against the Institute that person, if a member of the Institute, shall be
8 expelled for life from the Institute if however, the person is an applicant for
9 membership of the Institute, his action shall be sufficient reason to reject the
10 application for membership.

11 *Overseas Bodies*

Relationship
with overseas
bodies

12 **20.** -(1) Members of the Council or of any committee of the Council
13 shall not act or represent the interests of any overseas body of human capital
14 development experts in any capacity whatever, except with express approval to
15 do so.

16 (2) Members of the Council or of any committee of the Council who
17 so acts shall cease to be a member of the Council or of any committee of the
18 Council.

19 (3) Furthermore, the case of the member referred to in sub-paragraph
20 (2) of this rule may be referred to the Investigation Panel for necessary action.

Interpretation

21 **21.** In these Rules, unless the context otherwise requires – “Act”
22 means the Chartered Institute of Human Capital Development of Nigeria Act.

23 **SECOND SCHEDULE**

24 **(Rule 2.)**

25 A graduate from any Nigerian university or other approved overseas university
26 who obtained his bachelor's degree or High National Diploma not later than 1st
27 January 2011, and has been continuously engaged in a senior managerial
28 position.