

CHARTERED INSTITUTE OF ENTREPRENEURS (ESTABLISHMENT)

BILL, 2015

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A BILL

FOR

AN ACT TO ESTABLISH CHARTERED INSTITUTE OF ENTREPRENEURS: TO REGULATE AND CONTROL THE PRACTICE OF ENTREPRENEURSHIP; AND FOR RELATED MATTERS

Sponsored by Hon. Essien Ekpenyong Ayi

[] Commencement

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

PART 1 - ESTABLISHMENT OF CHARTERED INSTITUTE OF ENTREPRENEURS

- 1 1.-(I) There is hereby established a body to be known as Chartered Establishment of
- 2 Institute of Entrepreneurs (in this Act referred to as the Institute") which: Chartered Institute
- 3 (a) Shall be a body corporate with: of Entrepreneurs
- 4 (i) Perpetual succession;
- 5 (ii) A common seal which shall be kept in such custody as the
- 6 Council direct.
- 7 (b) May sue and be used in its corporate name; and
- 8 (c) May acquire, hold, and dispose of any property, moveable or
- 9 immovable
- 10 2. The Institute shall have the general duty of: General duty of
- 11 (i) Provision of Technical and professional skills for both emerging Institute
- 12 and existing entrepreneurs;
- 13 (ii) Breeding better educated, more courageous and vibrant
- 14 entrepreneurs;
- 15 (iii) Evolving a reliable databank and information service system
- 16 for resourceful operation of the small scale enterprises;
- 17 (iv) Breeding knowledge-driven SME start-up;
- 18 (v) Facilitation of stronger cooperation between owner-manager

1 and his stakeholders such as banks, insurance institutions, shippers,
2 government agencies etc;

3 (vi) Facilitation of greater involvement in the promotion of
4 international business with high level of competitiveness at the level of market
5 level;

6 (vii) Provision of opportunity for students to be active participants in
7 wealth creation through school to work programmes;

8 (viii) Empowerment and support on continuous basis to teachers and
9 instructors of entrepreneurship education in both senior secondary and tertiary
10 institutions via specially packaged trainings, meetings, exhibitions, industrial
11 exposures and other platforms.

Membership of
the Institute

12 3.-(1) Subject to the provision of this Bill, a person admitted to
13 membership of the Institute shall be registered as a member and shall be
14 entitled to use the appropriate abbreviation (GCIE/ACIE/MCIE/FCIE) after
15 his name.

16 (2) A person shall not be qualified to become a member of Institute
17 unless:

18 (a) He has obtained an approved Degree or a Higher National
19 Diploma;

20 (b) He has passed the professional examination at the Academy of
21 Entrepreneurs which shall be established and administered by the institute;

22 (c) He has undergone a two-year supervised experience training
23 programme;

24 (d) The council shall, from time to time, publish the list of Tertiary
25 Institutions whose award of degrees are approved for admission into the
26 Academy of Entrepreneurs. However, a degree obtained from any of the
27 Nigerian Universities and Polytechnics shall be deemed an accepted
28 qualification for membership of the Institute;

29 (e) The council may approve a degree from any overseas universities,
30 if it deems it fit and is satisfied that the course of study and the standard of

1 examination are comparable and equivalent of other professional bodies
2 may be acceptable as qualification for membership of the institute.

3 PART 11- ELECTION OF PRESIDENT AND VICE PRESIDENTS OF
4 CHARTERED INSTITUTE OF ENTREPRENEURS

5 1. There shall be a president and two Vice-Presidents of the
6 Institute who shall be Fellows of the Institute.

7 2. The president and Vice-presidents shall be elected at the Annual
8 General Meeting of the Institute and each shall hold office for a term of two
9 years from the date of election.

10 3. The president shall be the Chairman of the Governing Council
11 established by Section 1 of this Act and in his absence the First Vice-
12 president, shall be the Chairman of the Governing Council.

13 4. The president shall preside at meetings of the Institute and in the
14 event of his absence, death, permanent incapacity or disability, the First-
15 Vice president or in the absence of the First Vice-President, the second Vice
16 president shall preside.

17 5. The First Vice-president or Second Vice president shall in the
18 event of the death, resignation, removal from office or permanent incapacity
19 of the president or First Vice president in that order act for the unexpired
20 term of his office as the case may be and reference in the act to the president
21 of First Vice president shall be construed accordingly.

22 6. If the president or any of the VIVE-Presidents ceases to be a
23 member of the Institute, he shall ipso Facto cease to hold any of the officers
24 designated under this section.

25 PART 11I- GOVERNING COUNCIL OF THE INSTITUTE, ETC

26 4.-(1) There is hereby established for the Institute a Governing
27 Council (in this Bill referred to as "the Council") which shall be charged with
28 the responsibility for the administration and general management of the
29 Institute.

Establishment of
Governing Council
of the Institute

30 (2) The Council consists of the following members:

- 1 (a) A Chairman who shall be president of the Institute;
- 2 (b) Two Vice-Chairman who shall be the Vice presidents of the
3 Institute;
- 4 (c) A treasurer who shall be elected by the Institute;
- 5 (d) One representative each of the following;
- 6 (e) Federal Ministry of Education;
- 7 (f) Twelve persons elected by the Institute;
- 8 (g) All past president of the Institute including the past presidents of
9 the Incorporated Institute of Entrepreneurs existing before the commencement
10 of this Act;
- 11 (h) Two persons to represent institutions of higher learning in Nigeria
12 offering courses leading to approved qualifications, to be appointed by the
13 Federal Ministry of Education on rotation, so, however that the two shall not be
14 from the same institution;
- 15 (i) The Executive Secretary of the Institute.
- 16 (3) The provision of First Schedule to this Act shall have effect with
17 respect to the qualifications and tenure of office of members of the Council and
18 the other matters therein mentioned.
- 19 Commencement *(First Schedule)*
- 20 5.-(1) Subject to the provisions of this paragraph, a member of the
21 Council shall hold office for a period of two years beginning with the date of his
22 election or appointment.
- 23 (2) Any member of the Institute who ceases to be a member thereof
24 shall, if he is also a member of the Council, ceases to hold office on the Council.
- 25 (3) Any member of the Council may, by notice in writing under his
26 hand addressed to the president, resign his office.
- 27 (4) A person who retires from or otherwise ceases to be in elected
28 member of the Council shall be eligible to become a member of the Council and
29 any appointed member may be reappointed.
- 30 (5) Members of the Council shall at their next meeting before the

Tenure of office,
etc of members
of the Council

1 annual general meeting of the Institute arrange for four members of the
2 Council appointed or elected and longest in office to retire at that general
3 meeting.

4 (6) Elections to the Council shall be held in such a manner as may
5 be prescribed by rules made by the Council and until so prescribed, they
6 shall be decided by secret ballot.

7 (7) If for any reason a member of Council vacates office and:

8 (a) Such member was appointed by the Council or any other body,
9 the Council or that body may appoint another fit and proper person from the
10 area in respect of which the vacancy occurs;

11 (b) Such member was elected, the Council may, if the time between
12 the unexpired portion of the term of office and the next general meeting of
13 the Institute appears to warrant the filling of the vacancy, co-opt a fit and
14 proper person for such time.

15 6. The Council shall have power to do anything which in its
16 opinion is calculated to facilitate the carrying on of the activities of the
17 Institute.

Power of the
Council

18 PART IV - FINANCIAL PROVISIONS

19 7.-(1) There shall be established for the Institute. A fund which
20 shall be managed and controlled by the Council.

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

23 (a) All fees and other moneys payable to the Institute in pursuance
24 of this Bill;

25 (b) Such other moneys as may be payable to the Institute in the
26 course of its operations or in relation to the exercise of any of its functions
27 under this Bill.

28 (3) There shall be paid out of the fund of the Institute:

29 (a) The remuneration and allowances of the Secretary and other
30 employees of the Institute;

1 (b) Such reasonable traveling and subsistence allowances of
2° members of the Council may determine;

3 (c) Any other expense incurred by the Council in the discharge of its
4 functions under this Bill.

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

8 (5) All the institutional members in Nigeria shall cause to be paid to
9 the fund, an annual subvention as may be determined by the Council from time
10 to time.

11 (6) The Council shall on behalf of the Institute keep proper books of
12 accounts in respect of each financial year and proper records in relation to those
13 accounts and the Council shall cause the accounts to be audited by an external
14 auditor and when audited, the accounts shall be presented to the members of the
15 Institute for approval at a general meeting.

16 PART V - THE EXECUTIVE SECRETARY AND THE REGISTER

Appointment of
Executive Secretary,
officers, principal
and other staff, etc.

17 8.-(1) The Council shall appoint a fit proper person to be the
18 Executive Secretary for the purpose of this Act, and such other persons as the
19 Council may from time to time, deem necessary to assist the Executive
20 Secretary in the performance of his functions under this Act.

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

24 (3) The Executive Secretary appointed under Subsection (1) of this
25 section shall be the Chief Executive of the Institute and shall report to the
26 Council of the institute.

27 (4) The council shall appoint other principal officers such as:

28 (a) Director of Corporate Affairs;

29 (b) Director Membership and Marketing;

30 (c) Business Development Manager;

- 1 (d) Membership and Administration;
- 2 (e) Information technology.
- 3 (5) There shall be for the purpose of this Act two registers as
- 4 follows:
- 5 (a) The register of members which shall consist of six parts of
- 6 which:
- 7 (i) The first part shall be in respect of Ordinary Members;
- 8 (ii) The second part shall be in respect of Student Members;
- 9 (iii) The third part shall be in respect of Graduate Members;
- 10 (iv) The fourth part shall be in respect of Associate Members;
- 11 (v) The fifth part shall be in respect of Members;
- 12 (vi) The sixth part shall be in respect of fellows.
- 13 (b) The register of Institutional members.
- 14 (6) Subject to the provisions of this Act, the Council shall make
- 15 rules with respect to the form and keeping of registers and the making of
- 16 entries thereon, and in particular.
- 17 (a) Regulate the making of applications for enrolment or
- 18 registration, as the case may be, and providing for the evidence to the
- 19 produced in support of the application;
- 20 (b) Provide for the notification to the Registrar, by the person to
- 21 whom any registered particular relates or any change in those particulars;
- 22 (c) Authorize an enrolled or registered person to have any
- 23 qualification which is in relation to the relevant division of the profession,
- 24 either an approved qualification or an accepted qualification, for the
- 25 purposes of this Act, registered in relation to his name in addition to, or as he
- 26 may elect, in substitution for any other qualification so registered;
- 27 (d) Specify the fees, including any annual subscription, to be paid
- 28 to the institute in respect of the entry of names on the Register and
- 29 authorizing the registrar to refuse to enter a name on the Register until such
- 30 fees specified for the entry has been paid;

1 (e) Specify the standards of conduct required of a member of the
2 institute and actions or omissions that amount to a misconduct;

3 (f) Specify anything failing to be specified under the foregoing
4 provisions of this section; but rules made for the purpose of paragraph (d) of
5 this sub-section shall not come into force until they are confirmed at a general
6 meeting of the Institute.

7 (7) The Executive Secretary shall:

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

11 (b) Make, from time to time, any necessary alterations in the
12 registered particulars of registered persons;

13 (c) Remove from the register the name of a deceased member or
14 members whose names he is directed to strike off as a result of disciplinary
15 action;

16 (d) Record the names of members of the institute who are in the
17 default for more than one year in the payment of annual subscriptions, and to
18 take such action in relation thereto (including removal of the names of
19 defaulters from the register) as the Council may direct and any person whose
20 name is removed from the register for being in default of payment of any year
21 may be re-registered subject to payment of outstanding subscription and re-
22 registration fees as may be approved by the Council.

23 (8) The ruler made pursuant to subsection 6 of this section shall
24 provide for a procedure for updating members particulars in the register, and
25 conditions under which the registrar may remove the name of a member from
26 the list for failing to update his particulars, and the manner to cause a
27 restoration of such a member in the list.

28 9. The Executive Secretary shall:

29 (a) Cause the register to be printed, published and put on sale to

1 members of the public not later than two years from the commencement of
2 this Act;

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

6 (c) Cause a print of each edition of the register and of each list of the
7 corrections to be deposited at the principal office of the Institute;

8 (d) Keep the register and list so deposited and make the register and
9 such lists available at all reasonable times for inspection by members of the
10 public, physically and through an internet portal.

11 PART VI - REGISTRATION OF MEMBERS

12 10.-(1) Subject to subsection (2) of this section a person, other than
13 one whose membership has been suspended by a directive of the
14 Disciplinary Panel shall be entitled to be registered as member in the
15 following categories:

Registration of
Members

16 (a) Ordinary Member, where the person does not satisfy the
17 conditions for registration as a Student Member, Graduate Member,
18 Associate Member, Member, Fellow specified in paragraphs (b) to (c) of this
19 sub-section;

20 (b) Student Member, where the person:

21 (i) Works in a institutional outfit and has a degree or equivalent
22 qualification or the minimum qualification prescribed by the Council;

23 (ii) Does not work in any institution, but has the basic qualification
24 approved by the Council from time to time, for registration as a student;

25 (iii) Satisfies any other condition which the Council may, from
26 time to time, approve.

27 (c) Graduate member, where the person:

28 (i) Has passed the Associates examination specified by Council,
29 but has not had the period of on the job practical experience prescribed by
30 council;

- 1 (ii) Not being a member of the institute has passed the qualifying
2 examination of a recognized Institute of Entrepreneurs in any other country
3 acceptable to the Council;
- 4 (iii) Has not been elected a fellow or an Associate by a recognized
5 foreign Institute of Entrepreneurs.
- 6 (d) Associate Member, where the person:
- 7 (i) Has passed the associate ship examination specified by the
8 Council;
- 9 (ii) Not being a member of the institute at the time of application for
10 membership has passed the qualifying examination of a recognized Institute of
11 Entrepreneurs in any other country acceptable to the Council;
- 12 (iii) Has had a period of the on the job practical experience not less
13 than the minimum period prescribed by the Council for the category of
14 membership sought;
- 15 (iv) Has been elected by any recognized related foreign institute to
16 that category of membership.
- 17 (e) Member, where the person:
- 18 (i) Has contributed immensely to the growth of Entrepreneurship.
19 (ii) Is considered by the Board of Members and the Council as a fit and
20 proper person to be awarded the member of the Institute.
- 21 (f) Fellow, where the person:
- 22 (i) Satisfies the Council that he is a fit and proper person to be so
23 registered and has for a number of years (to be specified by the Council) been
24 an associate member or the holder of the approved academic qualifications;
- 25 (ii) Satisfies all other criteria as may be specified by the Council from
26 time to time.
- 27 (2) An applicant for registration shall, in addition to evidence of
28 qualification, satisfy the Council that he:
- 29 (a) Is of good character;
- 30 (b) Has attained the age of 21 years.

1 (c) Has not been convicted in Nigeria or elsewhere of an offence
2 involving, Entrepreneurship, fraud or dishonesty or financial benefit to
3 himself or his organization.

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

8 (4) Any entry directed to be made in the register under Subsection
9 of this section shall show that the registration is provisional and no entry so
10 made shall be converted to full registration without the consent of the
11 Council signified in writing in that behalf.

12 (5) The Council shall, from time to time, prescribe and publish in
13 the official newsletter and magazine of the Institute particulars of
14 qualification for the time being accepted as aforesaid.

15 (6) The Council shall from time to time, prescribe and publish in
16 the official newsletter, magazine and website of the Institute particulars of
17 qualifications for the time being accepted as aforesaid.

18 **11.-(1)** The Council may approve any qualification for the
19 purpose of this Bill and may for such purposes approve:

Approval of
qualifications, etc.

20 (a) Any course of training at any approved institution which is
21 intended for persons seeking to become or are already Entrepreneur and
22 which the Council considers is designed to confer on persons having
23 sufficient knowledge and skill for admission to the Institute;

24 (b) Any qualification which as a result of the examination taken in
25 conjunction with a course of training approved by the Council under this
26 section is granted to candidates having reached a standard in the
27 examination, indicating in the opinion of the Council, that the candidates
28 have sufficient knowledge and skill to practice as an Entrepreneur.

29 (2) The Council may, if it thinks fit, withdraw any approval given
30 under this section in respect of any course, qualification or institution, but

1 before withdrawing such an approval, the Council shall:

2 (a) Give notice that it proposes to do so to each person in Nigeria
3 appearing to the Council to be person by whom the course is conducted or the
4 qualification is granted or the institution is controlled, as the case may be:

5 (b) Afford each such person an opportunity of making to the Council
6 representations with regard to the proposal;

7 (c) Take into consideration any representations made in respect of the
8 proposal in pursuance of paragraph (h) of this subsection.

9 (3) A course, qualification or institution shall not be treated as
10 approved during any period the approval is withdrawn under subsection (2) of
11 this section;

12 (4) Notwithstanding the provisions of subsection (3) of this section,
13 the withdrawal of approval under subsection (2) of this section shall not
14 prejudice the registration or eligibility for registration of any person who, by
15 virtue of the approval, was registered or was eligible for registration (either
16 unconditionally or subject to his obtaining a certificate or experience
17 immediately before the approval was withdrawn.

18 (5) The giving or withdrawal of an approval under this section shall
19 have effect from such date, either before or after the execution of the
20 instrument signifying the giving or withdrawal of the approval, as the Council
21 may specify in the instrument, and the Council shall:

22 (a) As soon as may be practicable, publish a copy of every such
23 instrument in the official news letter and magazine of the Institute;

24 (b) Not less than seven days before its publication as aforesaid, send a
25 copy of the instrument to the institution affected.

Supervision of
instructions, etc.

26 12.-(1) It shall be the duty of this Council to keep itself informed of
27 Supervision of the content and methods of:

28 (a) The instructions given at approved institutions to persons
29 attending approved courses of training;

30 (b) The examinations as a result of which approved qualifications are

1 granted and for the purposes of performing that duty the Council may
2 appoint, either from its own members or otherwise, persons to a visit
3 approved institutions or observe such examinations.

4 (2) It shall be the duty of a person appointed under subsection (1) of
5 this section to report to the Council on:

6 (a) The adequacy of the instructions given to persons attending
7 approved courses of training at institutions visited by him;

8 (b) The adequacy of the examinations attended by him;

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

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

20 PART VII - PROFESSIONAL DISCIPLINE.

21 13.-(1) There shall be constituted a body to be known as the
22 Chartered Institute of Entrepreneurs investigating Committee (in
23 this Act referred to as the Investigating Committee") which shall be charged
24 with the duty to:

25 (a) Conduct a preliminary investigation into any case where it is
26 alleged that a member of the Institute is involved in misconduct in his
27 capacity as Entrepreneurs or shall for any other reason be the subject of
28 proceedings before the Disciplinary Panel;

29 (b) Decide whether the case should be referred to the Disciplinary
30 Panel or not.

Establishment of
Investigation Panel
and Disciplinary
Tribunal

1 applicable to the Investigating Committee and Disciplinary Panel
2 respectively, has effect with respect to those bodies.

3 **14.-(1) Where:**

4 (a) A member is adjudged by the Disciplinary Panel to be guilty of
5 professional misconduct in any professional respect;

Penalties for
professional
misconduct

6 (b) A member is convicted by any court of law having power to
7 award imprisonment for an offence (whether or not punishable with
8 imprisonment), which in the opinion of the Disciplinary Panel is
9 incompatible with the conduct required of a member of the Institute;

10 (c) The Disciplinary Panel is satisfied that the name of any person
11 has been fraudulently enrolled or registered; the Disciplinary Panel shall
12 order the Registrar to strike his name off the relevant part of the register.

13 (2) A person who is found guilty of misconduct by the decision of
14 the Disciplinary Panel shall have his name struck out from the register of
15 members.

16 (3) The Disciplinary Panel shall always give its decision and
17 directions promptly, and in all cases within three months of conclusion of
18 proceedings.

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

23 (5) The person to whom such a directive is given under subsection
24 of this section may, at any time within twenty-eight days from the date of
25 service on him of notice of the direction, appeal against the direction to the
26 Federal High Court, and where necessary to the Court of Appeal and the
27 Disciplinary Panel and complainant if any may appear as a respondent to the
28 appeal and for the purpose of enabling directions to be given as to the costs
29 of the appeal and of proceedings before the Federal High Court or Court of
30 Appeal, the Disciplinary Panel and complainant shall be deemed to be a

1 party thereto, whether or not it appears on the hearing of the appeal.

2 (6) A direction of the Disciplinary Panel given under subsection (I) of
3 this section shall take effect where:

4 (a) No appeal under the section is brought against the direction within
5 the time limit for such an appeal, or on the expiration of that time;

6 (b) Such an appeal is brought and is withdrawn or struck out as for
7 want of prosecution, on the withdrawal or striking out of the appeal;

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

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

19 PART VIII – MISCELLANEOUS

20 15. A person who is not a member of the Incorporated Chartered
21 Institute of Entrepreneurs established before the commencement of this Act but
22 is qualified to apply for and obtain membership if the Institute, may apply for
23 membership of the Chartered Institute of Entrepreneurs established by this Act,
24 in such a manner as may be prescribed by rules made by the Council and shall
25 be registered in the category of membership appropriate in the current period
26 for holders of the qualification he possesses.

27 16.-(1) Subject to subsection (2) of this section, a person shall be
28 Practice as a deemed to practice as a professional Entrepreneurs if in
29 consideration of remuneration received or to be received and whereby himself
30 or in partnership with any other persons he:

Application of
this Act to
unregistered
persons

Practice as a
professional
Entrepreneurs

1 (a) Engages himself in the practice of professional Entrepreneurs
2 or holds himself out to the public as professional Entrepreneurs;

3 (b) Renders professional service or assistance in, or about matters
4 of principles or detail, relating to the practice of Entrepreneurs;

5 (c) Renders any other service which may, by regulations made by
6 the Council, be designated as service constituting practice as a professional
7 Entrepreneurs.

8 (2) Nothing in Subsection (1) of this section shall be construed as
9 to apply to persons who, while in the employment of any government,
10 perform the duties or any of the duties of professional Entrepreneurs

11 17.-(1) The Council may make rules to guide training in
12 professional Entrepreneurship methods and practice.

Rules as to
practice, etc.

13 (2) The Council may also make rules:

14 (a) Prescribing the amount and due date for the payment of the
15 annual subscription and for such purposes, different amounts may be
16 prescribed by rules according to the category of membership;

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

19 (c) Restricting the right to practice as a professional Entrepreneurs
20 in default of the amount of the annual subscription where the default
21 continues for longer than such period as may be prescribed by the rules;

22 (d) Restricting the right to practice as a member of the profession if
23 the qualification granted outside Nigeria does not entitle the holder to
24 practice as a member of the profession;

25 (e) Prescribing the period of practical training in the office of a
26 profession in practice to be completed before a person qualifies for a license
27 to practice as a member of the profession.

28 (3) Rules made under this section shall, be published in the official
29 news letter, website and magazine of the Institute.

Provision of
Library facilities,
etc.

- 1 18. The Institutes hall;
- 2 (a) Provide and maintain a library comprising of books and
- 3 publications for the advancement of the knowledge of professional
- 4 Entrepreneurs and such other books, publications and internet communication
- 5 technology media as may be considered necessary;
- 6 (b) Encourage research into Professional Entrepreneurship methods
- 7 and allied subjects, to the extent that the Council may, from time to time,
- 8 consider necessary.

Offences and
Penalties

- 9 19,-(1) A person who, for the purpose of procuring (he registration of
- 10 any name, qualification or other matter:
- 11 (a) Makes a statement which he believes to be false in my material
- 12 particular;
- 13 (b) Recklessly makes a 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 not
- 16 member of the Institute practices or holds himself out as a Professional
- 17 Entrepreneurs 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 Professional
- 19 Entrepreneurs, commits an offence.
- 20 (3) In the case of a person failing within section 15 of this Act:
- 21 (a) The provision of subsection (2) of this section shall not apply in
- 22 respect of anything done by him during the period of three months;
- 23 (b) If within that period he duly applies for membership of the
- 24 Institute then unless within that period he is notified that his application has not
- 25 been approved, the provision of subsection (2) of this section shall not apply in
- 26 respect of anything done by him between the end of that period and the date on
- 27 which he is enrolled, or registered or notified as aforesaid.
- 28 (4) The Executive Secretary or any other person employed by or on
- 29 behalf of the Institute who willfully makes any falsification in any matter
- 30 relating to the register, commit an offence.

1 (5) A person who commits an offence under this section shall be
2 liable -on conviction to a minimum fine of One Hundred thousand naira
3 (N100,000.00); or imprisonment for a maximum term of two years, or to
4 both such fine and imprisonment.

5 (6) Where an offence under this section which has been committed
6 by 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
9 person purporting to act in any such capacity, he, as well as the body
10 corporate shall be deemed to have committed the offence and shall be liable
11 on conviction by court of competent jurisdiction in the case of an individual
12 to the punishment prescribed in subsection 5 of this section and in the case of
13 a body corporate, to a fine of not less than N500,000 (five hundred thousand
14 naira) and or a ban on practice of share registration for a specific period of
15 time not less than one year.

16 **20.**-(1)Any regulations, made pursuant to this Act shall be
17 published in the Institute's Journal.

Regulations

18 (2) Rules made for the purpose of this Act shall be subject to
19 confirmation by the Institute at its next general meeting, and shall not have
20 effect until so confirmed

21 **21.**-(1)As from the commencement of this Act:

22 (a)All assets and liabilities held or incurred immediately before the
23 commencement date, by or on behalf of the incorporated Institute shall, by
24 virtue of this subsection and without further assurance, vest in the Institute
25 and be held by it for the purpose of the Institute;

Transfer to the
Institute of certain
properties

26 (b) The Incorporated Institute shall cease to exist;

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

1 *[Second Schedule]*

2 (2) The provisions of Second Schedule to this Act shall have effect
3 with respect to matters arising from the transfer of assets and liabilities of the
4 Incorporated to the Institute and with respect to other matters mentioned in that
5 schedule.

Interpretation

6 **22.** In this Act, unless the context otherwise requires:

7 “Professional Entrepreneurs” means any person registered to practice
8 Professional Entrepreneurship under this Act;

9 “Council” means the Council established as the governing body of the Institute
10 under section 1, of this Act;

11 “Disciplinary Panel” means Chartered Institute of Entrepreneurs Disciplinary
12 Panel established under subsection (2) of section H. of this Act;

13 “Fees” includes annual subscription, examination, annual conference, and
14 specialized trainings fees;

15 “Institute” means Chartered Institute of Entrepreneurs established under
16 section 1 of the Bill;

17 “Investigation Committee” means the Chartered Institute of Entrepreneurs
18 Investigating Committee established under subsection (3) of section 14 of this
19 Act;

20 “Members” means enrolled Fellow, Member, Associate Member, Graduate
21 Member, Student Member or Ordinary Member as the case may be, and

22 “membership of “the Institute” shall be construed accordingly;

23 “Minister means the Minister for Education;

24 “President” and “Vice-President” respectively means the holder of offices
25 under those names in the Institute;

26 “Register means the register maintained pursuant to section B of this Act.

Short Title

27 **23.** This Bill may be cited as the Chartered Institute of Entrepreneurs
28 Bill, 2015.

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SCHEDULES

FIRST SCHEDULE

Section 4(3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1.-(1) Subject to the provisions of this Act, the Council may in the name of the Institute make Standing orders, regulating its proceedings or proceedings of any Committee of Councilor, the institute thereof, excepting rules of the Investigation committee of Disciplinary Panel.

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

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

(4) The quorum at any meeting of the Council shall be 10 and the quorum of a Committee of the Council shall be determined by the Council General Meeting of the Institute.

2.-(1) The Council shall convene the annual general meeting of the Institute once a year at such time and place as may be determined by the Council, but, if the meeting is not held within one year after the previous annual general meeting, not more than fifteen months shall elapse between the respective dates of the two meetings; Provided that, notice of the annual general meeting shall be given to all members of the Institute not later than twenty-one days from the date of the meeting.

(2) A special general meeting of the Institute may be convened by the Council at anytime if', not less than thirty members of the Institute so require, by notice in writing addressed to the President of the Council setting out the objects of the proposed meeting, the President of the Council shall convene a special general meeting of the Institute:

1 Provided that, notice of the annual general meeting shall be given to all
2 members of the Institute not later than twenty-one days from the date of the
3 meeting.

4 (3) The quorum of any general meeting of the Institute and that of any
5 special meeting of the Institute shall be thirty- five members.

6 *Meeting of the Council*

7 3.-(1) Subject to the provisions of any standing orders of the Council,
8 the Council shall meet quarterly in a year.

9 (2) At any meeting of the Council, the President or in his absence, or in
10 the absence of the first Vice-President too, the Second Vice-President shall
11 preside, but if the President, the First Vice-President and the Second Vice-
12 President are absent, the members present at the meeting shall appoint one of
13 their member to preside at the meeting.

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

19 (4) Notwithstanding anything in the foregoing provisions of this
20 paragraph, the first meeting of the Council shall be summoned by the President
21 of the Institute.

22 *Committees*

23 4.-(1) The Council may appoint one or more Committees to carry out
24 on behalf of the Institute or the Council, such functions as the Council may
25 determine.

26 (2) A Committee appointed under this paragraph shall consist of the
27 number of persons determined by the Council of whom not more than one-third
28 may be persons who are not members of the Council and a person other than a
29 member of the Council shall hold office on the Committee in accordance with
30 the terms of his letter of appointment.

1 (3) A decision of a Committee of the Council shall be of no effect
2 until it is confirmed by the Council, except the council otherwise authorizes.

3 *Miscellaneous*

4 5.-(1) The fixing of the seal of the Institute shall be authenticated
5 by the signature of the President or of some other members of the Council
6 authorized generally or specifically by the Institute to act for that purpose.

7 (2) Any contract or instrument which if made or executed by a
8 person not being a body corporate, would not be required to be under seal,
9 may be made or executed on behalf of the Institute or the Council, as the case
10 may require by any authorized to act for the purpose by the Council, person
11 generally or specifically.

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

15 *Validity of Proceedings*

16 6. The validity of any proceeding of the Institute' or the Council, or
17 of a Committee of the Council shall not be affected by any vacancy in the
18 membership or any defect in the appointment of a member of the Institute, or
19 of the Council, or of a person to serve on the Committee, or by reason that a
20 person not entitled to do so took part in the proceedings.

21 7. Any member of the Institute or the Council, and any person
22 holding office on a Committee of the Council, who has a personal interest in
23 any contract arrangement entered into, or proposed to be considered by the
24 Council on behalf of the Institute or on behalf of the Council or a Committee
25 thereof, shall forthwith disclose his interest to the President or to the
26 Council, as the case may be and he shall not vote on any question relating to
27 that contract or arrangement.

28 8. A person shall not by reason only of his membership of the
29 Institute be treated as holding an office in the Public Service of the
30 Federation.

1 SECOND SCHEDULE

2 *Section 22(2)*

3 TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC.

4 *Transfer of Properties*

5 1. Every agreement to which the Incorporated Institute' was a part
6 immediately before the commencement of this Act, whether it be in writing or
7 not and whether or not of such nature that the rights, liabilities and obligations
8 there under could be assigned by the Incorporated Institute, shall have effect
9 from the appointed day so far as it relates to property transferred by this Act to
10 the Institute as if:

11 (a) The Institute had been a party to the agreement;

12 (b) For any reference (however worded and whether express or
13 implied) to the Incorporated Institute, there were substituted as respects
14 anything failing to-be done on or after the commencement of this Act, a
15 reference to the Institute;

16 (c) For any reference (however worded and whether (express or
17 implied) to a member or members of the Council of the incorporated institute
18 there were substituted, as respects anything failing to be done on or after the
19 commencement of the Act, a reference to a member or members of the Council
20 under this Act.

21 2. Other documents referring, whether specifically or generally on the
22 Incorporated Institute shall be constructed in accordance with sub-paragraph
23 of this paragraph so far as applicable.

24 3. Any legal proceedings or application to any authority pending on
25 the commencement of this act by or against the Incorporated Institute may be
26 continued on or after that day by or against the Institute.

27 4. On the commencement of this Act, any person holding any paid
28 appointment in the Incorporated Institute shall hold corresponding
29 appointment in the Institute on the same terms and conditions as already exist.

30 5. Any regulations, rules and-similar instruments made for the

1 purpose of the Incorporated Institute and in force immediately before the
2 coming into force of this Bill shall, except in so far as they are subsequently
3 revoked or amended by any authority, having power in that behalf, have
4 effect with any necessary modifications as if daily made for the
5 corresponding purpose of the Institute.

6 THIRD SCHEDULE

7 *Section 22(2)*

8 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY
9 TRIBUNAL AND INVESTIGATING PANEL

10 *The Disciplinary Committee*

11 1. The quorum of the Disciplinary Panel shall be four members.

12 2.-(1) The Attorney-General of the Federation shall make rules as
13 to the selection of members of the Disciplinary Panel for the purpose or any
14 proceedings, the procedure to be followed and the rules of evidence to be
15 observed in the proceedings before the Disciplinary Panel.

16 (2) The rules shall in particular provide:

17 (a) For securing that any party to the proceedings shall be entitled
18 to be heard and given fair opportunity to defend the allegations against him
19 oilier by the Disciplinary Panel;

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

22 (c) For securing that any party to the, proceedings shall, if he so
23 requires, be entitled to be heard by the Disciplinary Panel;

24 (d) For securing that any party to the proceedings may be
25 represented by a legal practitioner;

26 (e) Subject to the provision of section 13(6) of this Act, as to the
27 cost of proceedings before the Disciplinary Panel;

28 (f) for requiring, in a case where it is alleged that the person who is
29 the subject of the proceedings is guilty of misconduct in any professional
30 respect, that where the Disciplinary Panel adjudges that the allegation has

1 (b) That every such party or person as aforesaid shall be informed if
2 in any case the Disciplinary Panel does not accept the advice of the assessor
3 on such a question as aforesaid,

4 (3) An assessor may be appointed under this paragraph wither
5 generally or for any particular proceedings or class of proceedings, and shall
6 hold and vacate office in accordance with (he terms of the letter by which he
7 is appointed.

8 *The Investigating Panel*

9 3.-(1) The quorum of the Investigation Committee shall be three.

10 (2) The Governing Council may, at any of its meetings attended by
11 ail members, make Standing Orders with respect to the Investigation
12 Committee.

13 (3) Subject to (the provision of any such standing order, the
14 Investigation Committee may regulate its own proceedings.

15 *Miscellaneous*

16 4.-(1) A person whose tenure as a member of the Disciplinary
17 Panel, or the Investigation Committee has expired shall be eligible for re-
18 appointment as a member of the Disciplinary Panel or Investigation
19 Committee, as the case may be, however, nobody shall serve in the
20 Investigating Committee for more than two consecutive terms totaling four
21 years.

22 (2) A person may, if otherwise eligible, be a member of both the
23 Disciplinary Panel and Investigation Committee, but no person who acted as
24 a member of Investigating Committee with respect to any case shall act as a
25 member of the Disciplinary Panel with respect to that case.

26 5. The Disciplinary Panel or the Investigation Panel may act
27 notwithstanding any vacancy in its membership and the proceedings of
28 either body shall not be invalidated by any' irregularity in the appointment of
29 a member of that body or subject to Paragraph 7 (2) of this Schedule, by
30 reason of the fact that any person who was not entitled to do so took part in

1 die proceedings of that body.

2 6. Any document authorized or required by virtue of this Act to be
3 served on the Disciplinary Panel or the Investigation Committee; shall be
4 served on the Executive Secretary.

5 7. All expenses of the Disciplinary Panel or the Investigation
6 Committee shall be defrayed by the Institute.

EXPLANATORY MEMORANDUM

*(This note does not form a Part of the above Act but is intended to
explain its purpose).*

This Bill seeks to establish Chartered Institute of Entrepreneur charged with the responsibility for among other things, determining the standard of technical and professional skills for both emerging and existing entrepreneur seeking to become professional Entrepreneur.