

# A BILL

## FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PUBLIC MANAGEMENT OF NIGERIA TO PROVIDE FOR THE CONTROL OF ITS MEMBERSHIP AND TO PROMOTE THE PRACTICE OF PUBLIC MANAGEMENT IN NIGERIA AND FOR OTHER PURPOSES CONNECTED THEREWITH, 2015

*Sponsored by Hon. Sylvester Ogbaga*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF PUBLIC  
2 MANAGEMENT OF NIGERIA

3 1. -(1) There shall be established a body to be known as the  
4 Chartered Institute of Public Management of Nigeria (in this Act referred to  
5 as “the Institute”).

Establishment of  
the Chartered  
Institute of Public  
Management of  
Nigeria

6 (2) The Institute:

7 (a) shall be a body corporate with perpetual succession;

8 (b) shall have a common seal which shall be kept in such custody as  
9 the Council may, from time to time, authorize; and

10 (c) may sue or be sued in its corporate name.

11 2. The objectives of the Institute shall be to:

Functions of the  
Institute

12 (a) organize and provide professional training in the areas of  
13 Leadership and Public Management;

14 (b) professionalize Public Management with a commitment to  
15 raising great leaders in all sectors of the economy;

16 (c) building capacity for leadership and a desire to make to make a  
17 difference in organizations and the nation at large;

18 (d) promote the art and philosophy of managing people;

19 (e) educate and promote public etiquette, conduct and approach to

- 1 public issues;
- 2 (f) build a bridge between public, private and organized sectors of the
- 3 economy;
- 4 (g) seek internal and external relationship between states and other
- 5 arms of governance;
- 6 (h) integrate culture with modernization;
- 7 (i) promote business, government ethics and inter-governmental
- 8 relations;
- 9 (j) do all such things that are necessary to promote the advancement
- 10 public management in both the public and private sectors of the economy;
- 11 (k) import managerialism from the private sector to the public sector
- 12 for efficiency and effectiveness in line with global practices.
- 13 **3.-(1)** Subject to the provision of this Act, persons admitted into the
- 14 Institute, shall possess knowledge, experience, and qualifications in Public
- 15 Management and other related disciplines determined from time to time by the
- 16 Council, and may be enrolled in the category of:
- 17 (a) Fellows;
- 18 (b) Associate Membership;
- 19 (c) Graduate Membership;
- 20 (d) Licentiate Members; and
- 21 (e) Students.
- 22 (2) Without prejudice to the last foregoing provisions of this Act,
- 23 persons registered as members of the Institute, in terms of this Act, shall be
- 24 entitled to be enrolled:
- 25 (a) as fellows, if they satisfy the council that for the period of not less
- 26 than five years immediately preceding the date of their application in that
- 27 behalf that they:
- 28 (i) are fit and proper persons;
- 29 (ii) are holders of approved academic qualifications;
- 30 (iii) have satisfied the council in their dissertations; and

Membership of  
the Institute

1 (iv) have been continuously active in the practice of professional  
2 Loan and Risk Management in either public or private sectors of the  
3 economy and as members of the Institute.

4 (b) as Associate members, if for the period of not less than three  
5 years immediately preceding the date of their application in that behalf that  
6 they have been enrolled as graduate members and are otherwise fit and  
7 proper persons, and as may approved in the discretion of the Council;

8 (c) as Graduate members, if they satisfy the Council that they have  
9 passed the mandatory examinations conducted by the Institute, hold  
10 equivalent qualifications from recognized institutions of higher education  
11 and are otherwise however found to be fit and proper persons by the Council.

12 (3) The following are other precedence and designated titular  
13 abbreviations for:

14 (a) a Fellow of the Chartered Institute of Public Management who  
15 shall have their right to use the designatory letters FCPM immediately after  
16 his names

17 (b) an Associate members of the Chartered Institute of Public  
18 Management who shall have the right to use the designatory letters of  
19 ACPM immediately after his names; and

20 (c) a licentiate member of the Chartered Institute of Public  
21 Management, who shall have the right to use the designatory letters LCPM  
22 immediately after his names.

23 (4) Graduate and students registered for training shall become  
24 professional practicing members only after satisfying specified  
25 qualification requirements for membership in any of the foregoing  
26 categories as may be prescribed by the Council or by -laws of the Institute.

27 (5) In this section, "licentiate member" means any member granted  
28 a license by a recognized institution of higher education to practice as a  
29 professional Loan & Risk Management, and "license sure" shall be  
30 construed accordingly.

Election of  
Principal Officers  
of the Institute

- 1                   **4.**-(1) The Principal officers of the Institute shall be:
- 2                   (a) the President;
- 3                   (b) the Vice-President;
- 4                   (c) the National Secretary;
- 5                   (d) the Assistant National Secretary; The National Treasurer; and
- 6                   (e) the Public Relations officer.
- 7                   (2) The principal officers listed under subsection (1) of this section
- 8 shall be financial members of the Institute in the grades of Fellows, Associate
- 9 members and Licentiate members and shall be elected to office biennially at the
- 10 second council meeting after another term of two years, and no more.
- 11                   (3) The President shall be the Chairman of the meetings of the
- 12 Institute, but in the event of his incapacity, death or inability to perform the
- 13 duties reposed on him under this subsection, the Vice President shall perform
- 14 such duties for the unexpired portion of the term of office of that President.
- 15                   (4) If any of the officers listed under subsection (1) of this sections
- 16 shall cease to hold any of the offices designated thereof.

Establishment  
and composition  
of the Governing  
Council

- 17                   **5.** -(1) There shall be for the Institute, a governing body to known as
- 18 "the Council" which shall have responsibility for the administration and
- 19 general management of the Institute.
- 20                   (2) The Council established pursuant to subsection (1) of this section
- 21 shall consist of the following members, that is:
- 22                   (a) the President of the Institute, who shall be the Chairman;
- 23                   (b) the Vice-President of the Institute, who shall be the Deputy
- 24 Chairman;
- 25                   (c) the Registrar;
- 26                   (d) twelve members nominated by the Institute from the six geo-
- 27 political zones of the Federation;
- 28                   (e) two persons who shall be members of the Institute, to represent
- 29 institutions of higher education in Nigeria offering courses leading to an.
- 30 approved qualification, to be appointed in rotation;

1 (f) the immediate past President of the Institute;  
2 (g) one person each not below the rank of a Director to represent  
3 the following Federal ministries, that is:

- 4 (i) Finance;  
5 (ii) Trade and Investment;  
6 (iii) Education.

7 (3) The provisions of the first schedule to this Act shall have effect  
8 with respect to the supplementary provisions of the Council and the  
9 qualifications and tenure of the office or members of the council, and the  
10 matters therein mentioned.

11 6. -(1) There shall be appointed annually a Board of Fellows, to  
12 coordinate the activities of Fellows of the institute and to recommend to the  
13 Council on yearly basis admission of members of the fellows.

Appointment of  
the Board of  
Fellows

14 (2) The Board of Fellows shall consist of persons who have been  
15 duly elected as fellows of the Institute, and shall have a Chairman who shall  
16 preside over the activities of the Board.

17 PART II - FINANCIAL PROVISIONS

18 7. -(1) The Council shall establish and maintain a fund for the  
19 Institute, the management and control of which shall be under the authority  
20 of the Council, into which shall be paid:

Establishment  
of fund and  
expenditure

- 21 (a) all monies received by the Council in pursuance of this Act;  
22 (b) all subscriptions, fees and council in pursuance of this Act;  
23 (c) such monies as may be provided by the Federal, State or Local  
24 Government from time to time by way of grants and subventions or loans,  
25 and

26 (d) all monies raised for the purposes of the Institute by way of  
27 gifts, donations, grants-in aid, testamentary dispositions from individuals,  
28 bodies corporation or philanthropic organizations, non-otherwise however.

29 *Cap. C21 LFN*

30 (2) The Council shall, from time to time, apply the proceeds of the

1 funds of the Institute to:

2 (a) all expenditure incurred by the Institute in the course of the  
3 discharge of its function under the Act;

4 (b) the remunerations and allowances of the Registrar and other staff  
5 of the Institute to;

6 (c) the maintenance of the premises and property owned and vested in  
7 the Institute;

8 (d) the payment of travelling allowance and such stipend for members  
9 of the council as may be approved by the Council; and

10 (e) the payment of such other charges as may be reasonably incurred  
11 in the performance of the functions of the Institute and the Council.

12 (3) For the purposes of the Companies Income Tax, any donation  
13 made by any company in Nigeria to the Institute shall be a deductible donation  
14 within the meaning of the Act.

Power to borrow  
money

15 **8.** -(1) The Council, with the general consent of its members or in  
16 accordance with the general guidelines or authority given by the government of  
17 the federation, borrow, on behalf of the Institute, by way of loan or overdraft  
18 from any source, any monies' required by the Council to meet the obligations of  
19 the Institute in order to perform its function under this Act, however, that such  
20 consent or authority shall be required where the sum or aggregate of the sums  
21 involved at any time does not exceed such amount as is for the time being  
22 projected in relation to the Institute in any particular year.

23 (2) The Council may, subject to the provisions of the Act and  
24 conditions of trust in respect of funds held or any property owned by the  
25 Institute, invest any but not all of its funds with the same consent or general  
26 authority.

Annual estimates,  
account and  
audit

27 **9.** -(1) The chairman of the Council shall cause to be prepared not later  
28 than six months before the end of the year, estimates for the recurrent and  
29 capital expenditure (if any) and income of the Institute during the next  
30 succeeding financial year which shall be presented to the Annual General

1 Meeting of the Institute by the Council for approval.

2 (2) The Council shall keep proper accounts and records in relation  
3 thereto, and of shall prepare in respect of each financial year, a statement of  
4 account in such form as the chairman or the council shall direct.

5 (3) The Council shall soon as may be after the end of a financial  
6 year, because the accounts of the Institute and those of the council to be  
7 audited by qualified auditors appointed from the list of auditors and in  
8 accordance with the guidelines laid down by the Auditor-General for the  
9 Federation.

10 (4) The auditors appointed pursuant to subsection (3) of this  
11 section shall, on completion of the audit of the accounts of the Institute and  
12 the Council for each financial year, prepare and submit to the Council two  
13 reports, that is to say:

14 (a) a general report setting out the observations and  
15 recommendations of the said auditors on the financial affairs of the Institute  
16 and the Council for the year, and on any important matters which the  
17 auditors may consider necessary to bring the notice of the Council, and

18 (b) a detailed report containing the observations and  
19 recommendations of the auditors on all aspect of the operations of the  
20 Institute and the Council.

### 21 PART III - THE REGISTRAR

22 **10.**-(1) The Council shall appoint a fit and proper person to be the  
23 Registrar of the Institute.

Appointment  
and duties of the  
Registrar, etc.

24 (2) The Registrar appointed in terms of subsection (1) of this  
25 section shall be the Head of the Administration of the Institute and Secretary  
26 to the Council.

27 (3) The Registrar shall consist of three parts of which the first part  
28 shall be in respect of fellows, the second part shall be in respect of associates  
29 and the third part shall be in respect licentiates.

30 (4) The Registrar shall consist of three parts of which the first part

1 shall be in respect of fellows, the second part shall be in respect of associates  
2 and the third part shall be in respect licentiates.

3 (5) Subject to the following provisions of this subsection, the Council  
4 may make rules with respect to the form and keeping of the Register and  
5 making of entries therein and in particular:

6 (a) the making of application for enrolment or registration, as the case  
7 may be;

8 (b) providing for notification to the Registrar, by the person to whom  
9 any registered particulars relate, of any change in those particulars;

10 (c) authorizing a registered person to have any qualification which is  
11 in relation to the relevant discipline of the profession for the purpose of this  
12 Act, registered in relation to this name in addition to, as he may elect, in  
13 substitution for other qualifications so registered;

14 (d) specifying from time to time the fees including subscription to be  
15 paid to the Institute in respect of the entry of names on the Register for the entry  
16 has been paid; and

17 (e) specifying anything failing to be specified under this section, but  
18 rules made for the purposes of paragraph (d) of this subsection shall not come  
19 into force until they are confirmed as a special meeting of the Institute  
20 convened for that purpose, or at the next annual general meeting of the  
21 Institute, as the case may be.

22 (6) The Registrar shall:

23 (a) correct, in accordance with the Council's directives, any entry in  
24 the register which the Council directs him to correct as being in the Council's  
25 opinion an entry which was incorrectly made;

26 (b) remove from the Register the name of any registered person who  
27 had died;

28 (c) record the names of the members of the Institute who are in default  
29 in the payment of the annual subscription, dues or other charges for more than  
30 twelve months, and take such action in relation thereto (including removal of



1 the names of the defaulters from the Registers) as the Council may  
2 determine or direct; and

3 (d) make from time to time any necessary alteration in the  
4 registered particulars of registered persons.

5 (7) The Registrar shall:

6 (a) send by post to any registered persons a letter addressed to him  
7 at his address on the register enquiring whether the registered particulars  
8 relating to him are correct and receives no reply to the letter within the period  
9 of six months from the date of posting; and

10 (b) upon the expiration of the period specified in paragraph (a) of  
11 this subsection, sends in like manner to the person in question a second  
12 similar letter and received no reply to the letter within three months from  
13 posting it, then the Registrar, may remove the particulars relating to the  
14 person in question from the register, and the Council may direct the  
15 Registrar to restore to the appropriate part of the Register any particulars  
16 removed there from under this subsection.

17 **11. -(1)** The Registrar shall:

18 (a) cause the Register to be printed, published and put on sale to  
19 members of the public later than two years from the commencement of this  
20 Act;

21 (b) thereafter in each year to cause to be printed, published and put  
22 on sale as foresaid, rather a corrected edition of the Registrar since it was last  
23 printed; and

24 (c) cause a print of each edition of the Registers and of each list of  
25 correction to be deposited at the principal offices of the Institute and the  
26 Council shall keep the Register and the list so deposited available at all  
27 reasonable times for inspection by members of the Institute.

28 (2) A document purporting to be print of an edition of the Register  
29 published under the pursuant to this section by authority of the Registrar, or  
30 documents purporting to be print of an edition so printed, shall (without

Publication of  
registers and list  
for corrections

1 prejudice to any other mode of proof) be admissible in any proceeding as  
2 evidence that any person specified in the document, or the documents read  
3 together, as being registered was so registered at the date of the edition or of list  
4 of correction, as the case may be, and that any person not so specified was not  
5 registered.

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

Registration

11 12. -(1) Subject to the rules made by the Council pursuant to section  
12 10(4) of this Act, a person whether or not a member of a professional Public  
13 Management body recognized by an Act of National Assembly shall be entitled  
14 to be enrolled or registered as a Member of Chartered Institute of Public  
15 Management if:

16 (a) he passes the qualifying examination of membership conducted by  
17 the Council under this Act and completes the practical training prescribed; or

18 (b) he holds a qualification granted outside Nigeria and for time  
19 being accepted by the Institute and, if the Council so requires, satisfies the  
20 Council that he had sufficient practical experience as a management  
21 accountant.

22 (2) Subject to the rules made by the Council pursuant to section 10 (5)  
23 of this Act, a person shall be entitled to be registered as a public manager, if he  
24 satisfies the Council that immediately before the appointed day he had not less  
25 than five years experience as an inspector and internal auditor of the affairs of a  
26 company as defined under the provision Companies and Allied Matters Act.

27 (3) An application for registration shall, in addition to evidence of  
28 qualification, satisfy the Council:

29 (a) that he is of good character;

30 (b) that he has attained the age of twenty-one; and

1 (c) that he has not been convicted of a criminal offence involving  
2 fraud or dishonesty in Nigeria or elsewhere.

3 (4) The Council may in its discretion provisionally accept a  
4 qualification presented in respect of an application for registration under  
5 this sectional, no direct that the application be renewed within such period as  
6 may be specified in the direction.

7 (5) Any entry directed to be made in the Register in terms of  
8 subsection (4) of this section shall indicate that the registration is  
9 provisional, and no entry made in consequence thereof shall be converted to,  
10 construed as, full registration without explicit consent of the Council made  
11 in writing in that behalf.

12 (6) The Council shall from time to time publish of Federal  
13 Government Gazette particulars of qualifications for the time being  
14 accepted as aforesaid.

15 **13.**-(1) The Council may approve an institute for the purposes of  
16 this Act and may for those purposes approve:

Approval of  
qualification, etc.

17 (a) any course of training at any institution which for persons who  
18 are seeking to become or are already management consultants, and which  
19 the Council consider as necessary to confer on persons completing the  
20 course, sufficient knowledge and skill for admission to the institute;

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

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

29 (a) give notice that it proposes to do so to person in Nigeria  
30 appearing to the Council to be persons by whom the course is conducted or

- 1 the qualification is granted or the institution is controlled as the case may be;
- 2 (b) afford each such an opportunity of making representations to the
- 3 Council (with regard to the proposal; and
- 4 (c) take into consideration any representation made as respects the
- 5 proposal in pursuance of paragraph (b) of this subsection.
- 6 (3) Where the approval of the Council under this section for a course,
- 7 qualification or institution is withdrawn, the course, qualification or institution
- 8 shall not be treated as approved under this section, but the withdrawal of any
- 9 such approval shall not prejudice the registration or eligibility for registration
- 10 of any person who by virtue of the approval was registered or eligible for
- 11 registration immediately before the approval was withdrawn.
- 12 (4) The giving or withdrawal of an approval under this section shall
- 13 have effect from such date, either before or after the execution of the
- 14 instrument signifying the giving or withdrawal of the approval, as the Council
- 15 may specify in that instrument, and the Council shall:
- 16 (a) public as soon as possible a copy of every such instrument in the
- 17 Federal Government Gazette; and
- 18 (b) not later than seven days before its publication, send a copy of the
- 19 instrument to the Minister.
- 20 **14.-(1)** It shall be the duty of the members of the Council of the
- 21 Institute to keep themselves informed of the nature of:
- 22 (a) the instructions given at approved institutions to persons attending
- 23 approving training; and
- 24 (b) the examination as a result of which approved qualification are
- 25 granted, and for the purpose of performing that duty the Council of the Institute
- 26 may appoint, either from among its own members or otherwise, person to visit
- 27 approved institutions, or to attend
- 28 such examination.
- 29 (2) It shall be the duty of the visitor appointed in term of the foregoing
- 30 subsection of this section to report to the Council on:

Supervision of  
instructions, etc  
leading to  
approved  
qualifications

1 (a) the sufficiency of the instructions giving to persons attending  
2 approved courses of training at institutions visited by him;

3 (b) the conduct and adequacy of the examination observed by him;  
4 and

5 (c) any other matters relating to the instruction or examinations on  
6 which the Council may, either generally or in particular case, request him to  
7 report, but no visitor shall interfere with the given of any instruction or the  
8 conduct of any examination.

9 (3) On receiving a report made in pursuance of this section, the  
10 Council may, if it fit, and shall if so required by the Institution, send a copy of  
11 the report to the person appearing before the Council to be in charge of the  
12 institution or which the Disciplinary Tribunal has cognizance under the  
13 following provisions of the Act responsible for the examination of which the  
14 report relates requesting that person to make an observation on the report the  
15 Council within such period as may be specified in the request, not being less  
16 than one month beginning with the date of the request.

17 PART IV - PROFESSIONAL DISCIPLINE

18 **15.**-(1) There shall be a tribunal to be known as the Chartered  
19 Institute of Public Management Disciplinary Committee (in this Act,  
20 referred to as "the Disciplinary Committee") which shall be charged with the  
21 duty of considering and determining any case referred to it by the  
22 investigating panel established pursuant to subsection (3) of this section,  
23 and any other case of panel, which the Disciplinary Committee has  
24 cognizance under the following provisions of this Bill.

Establishment,  
composition, etc  
of the Disciplinary  
Committee and  
of the Investigating  
Panel

25 (2) The Disciplinary Committee shall consist of the Chairman of  
26 the Council and six other members of the Council.

27 (3) There shall be a body known as Chartered Institute of Public  
28 Management Investigation Panel (In this Act, referred to as "the  
29 Investigating Panel") which shall be charged the duty of:

30 (a) conducting a preliminary investigation into any case where it is

1 alleged that a member has misbehaved in his capacity as a Public Manager or  
2 should for any other reason be the subject of proceeding before the  
3 Disciplinary Committee; and

4 (b) deciding whether the case should be referred to the Disciplinary  
5 Committee.

6 (4) Council and shall consist of four members of the Council and one  
7 person who is not member of the Council.

8 *Third Schedule.*

9 (5) The provisions of the Second Schedule to this Act shall, so far as  
10 applicable to the third Disciplinary Committee and Investigating Panel  
11 respectively, have effect with respect to the bodies.

12 (6) The Council may not inconsistent with this Act as to acts which  
13 constitute professional misconduct.

Penalties for  
unprofessional  
conduct

14 **16.**-(1) Where:

15 (a) a member is judged by the Disciplinary Tribunal to be guilty of  
16 infamous conduct in any professional respect;

17 (b) a member is convicted, by any court or tribunal in Nigeria or  
18 elsewhere having power to award imprisonment, of an offence or (whether or  
19 not punishable with imprisonment which in the opinion of the Disciplinary  
20 Tribunal is incompatible with the status of a professional management  
21 accountants; or

22 (c) the Disciplinary Tribunal is satisfied that the name of any person  
23 has been fraudulently registered; the Disciplinary Tribunal may, if it thinks fit,  
24 give a direction reprimanding that person or ordering the Registrar to strike his  
25 name off the relevant part of the Register.

26 (2) The Disciplinary Tribunal may, if thinks fit, defer its decisions as  
27 to the giving subsection (1) of this section until a subsequent meeting of the  
28 Disciplinary Tribunal but:

29 (a) no decision shall be referred under this subsection for period  
30 exceeding two years on the aggregate; and

1 (b) no person shall be a member of the Disciplinary Tribunal for  
2 purposes of reaching a decision which has been deferred or further deferred,  
3 unless he was present as a member of the Disciplinary Tribunal when the  
4 decision was deferred.

5 (3) For the purposes of subsection (1) (b) of this section, a person  
6 shall not be treated as convicted as therein mentioned unless the conviction  
7 stands at a time when no appeal or further appeal is pending or may (without  
8 extension or time) be brought in connection with the conviction.

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

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

21 PART V - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

22 17.-(1) The Council may make rules for:

23 (a) the training of suitable persons in Public Management methods  
24 and practice; and

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

27 (2) The Council may also make rules:

28 (a) prescribing the amount and the due for payment of annual  
29 subscription, and for such purpose different amount may be prescribed by  
30 the rules according to whether the person is enrolled as a fellow, associate

Rules as to  
professional  
practice and fees

1 member, a graduate member, licentiate member of student;

2 (b) prescribing the form of licentiate to practice to be issued annually  
3 or, if the Council thinks it fit, by endorsement on any existing license; and

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

7 (3) Rules when made under this section shall, if the Chairman of the  
8 Council so directs, be published in the Federal Government Gazette.

Provision of  
library facilities,  
etc.

9 **18.** The Institute shall:

10 (a) provide and maintain a Library, comprising books and  
11 publications for the advancement of knowledge of Loan & Risk Management,  
12 and such other books and publications as the Council may think necessary for  
13 that purpose;

14 (b) encourage research into public management methods and allied  
15 subjects to the extent that the Council may from time to time consider  
16 necessary.

Offences

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

19 (a) make a statement which he believes is false in a material  
20 particular; or

21 (b) recklessly make a statement which is false in a material particular,  
22 he shall be guilty of an offence.

23 (2) If, on or after the relevant date, any person not a member of the  
24 Institute practices or holds himself out to practice public management for or in  
25 expectation of reward or takes or uses any name, title, addition or description  
26 implying that he is in practice management, he shall be guilty of an offence,  
27 provided that, in the case of a person failing within section 17 of this Act.

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

30 (b) if within that period he duly applies for membership of the



1 Institute, then, unless within that period he is notified that his application has  
2 not been approved, this subsection shall not apply in respect of anything  
3 done by him between the end of that period and the date on which he is  
4 enrolled or registered or is notified as aforesaid.

5 (3) If the Registrar or any other person employed by or on behalf of  
6 the Institute willfully makes any falsification in any matter relating to the  
7 Register, he shall be guilty of an offence.

8 (4) A person guilty of an offence under this section be liable:

9 (a) on summary conviction, to a fine of an amount not exceeding  
10 N50,000 Naira;

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

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

21 (6) In this section, "the relevant date" means the third anniversary  
22 of the appointed day or such earlier date as may be prescribed for the purpose  
23 of this section by order of the Ministry published in the Federal Government  
24 Gazette.

25 **20.**-(1) Any regulation made under this Act shall be published in  
26 the Federal Government Gazette as soon as may be after they are made and a  
27 copy of any such regulations shall be sent to the Ministry later than seven  
28 days before they are so published.

29 (2) Rules made for the purposes of this Act shall be subject to  
30 confirmation by the Institute at its next general meeting or at any special

1 meeting of the Institute convened for that purpose, and if then annulled shall  
2 cease to have effect on the day after the date of annulment, but with prejudice to  
3 anything done in pursuance or intended pursuance of any such rules.

Dissolution of  
the former  
Institute of Public  
Management

4 **21.**-(1) The body known as the Institute of Public Management of  
5 Nigeria is hereby dissolved.

6 (2) Accordingly, all the property held by or on behalf of the former  
7 Institute shall by virtue of this section and without further assurance vest in the  
8 Institute and held by it for the purposes of the Institute.

9 (3) The provisions of the Third Schedule to this Act shall have effect  
10 with respect to matters arising from the transfer by this section to the institute of  
11 property of the former Institute, and with respect to the other matter mentioned  
12 in that schedule.

Interpretation

13 **22.** In this Act, unless the context otherwise requires, the following  
14 words and expressions have the meanings respectively assigned to them, that is:

15 "Institute" means Chartered Institute of Public Management established under  
16 section 1 of this Act;

17 "Council" means the Council established as the governing body of the Institute  
18 under section 5 of this Act;

19 "Disciplinary Tribunal" means the Chartered Institute of Public Management  
20 Discipline Tribunal under section 15 (1) of this Act;

21 "Enrolled in relation to a fellow, an associate member, a graduate member, a  
22 licentiate member, as the case may be;

23 "Fees" includes annual subscription;

24 "Investigation Panel" means an enrolled fellow, associate member or a  
25 licentiate member of the Institute; and "membership of the Institute" shall be  
26 construed accordingly;

27 "Ministry" means the Ministry charged with the responsibility for matters  
28 relating to finance;

29 "President and Vice President" means respectively the officer holder, under  
30 those names in the Institute;

1 "Profession" means the profession of Public Management; and  
2 "Register" means the register maintained in pursuance of section 10(2) of  
3 this Act.

4 **23.** This Act may be cited as the Chartered Institute of Public Short Title  
5 Management of Nigeria Bill, 2015.

6 SCHEDULES

7 FIRST SCHEDULE

8 *Section 5 (3)*

9 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

10 *Qualifications and tenure of members*

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

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

17 (3) Any elected member may by notice in writing under his hand  
18 addressed to the President resign his office, and any appointed member may,  
19 likewise resign his appointment.

20 (4) A person who retires from or otherwise cease to be an elected  
21 member of the Council shall be eligible again to become a member of the  
22 Council, and any appointed member may be reappointed.

23 (5) Members of the Council shall at a meeting next before the  
24 annual general meeting of the Institute arrange for five members of the  
25 Council appointed or elected, and longest in office to retire at that annual  
26 general meeting.

27 (6) Elections to the Institute shall be held in such manners as may  
28 be prescribed by rules made by the Council and until so prescribed they shall  
29 be decided in a secret balloting process.

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

1 (a) such member was appointed by the Minister or any other body  
2 corporate, the Minister or any such body corporate shall appoint another fit  
3 person to occupy the office in which the vacancy occurs; or

4 (b) such member was elected, the Council may, if the period between  
5 the unexpired portion of the tenure of office and the next general meeting of the  
6 Institute appears to warrant the prompt filling of the vacancy, co-opt some fit  
7 person for such period as aforesaid.

8 *Powers of Council*

9 **2.** The Council shall have powers to do anything which in its opinion  
10 is calculated to facilitate the activities of the Institute.

11 *Proceedings of the Council*

12 **3.-(1)** Subject to the provision of this Act, the Council may in the  
13 name of the Institute make standing orders regulating the proceedings of the  
14 institute of the Institute or of the Council, and in the exercise of its powers  
15 under this Act, may setup committees in the general interest of the Institute, and  
16 make standing orders therefore.

17 (2) Standing orders shall be provided for decision to be taken by a  
18 majority of the members, and in the event of equality of votes, for the President  
19 or the Chairman, as the case may be, to have a second or casting vote.

20 (3) Standing orders make for a committee shall provide the committee  
21 report back to the Council on any matter not within its competence to be  
22 decided upon.

23 **4.** The quorum of the Council shall be nine, and the quorum of a  
24 committee of the Council shall be as fixed by the Council.

25 *Meetings:*

26 *(a) of the Institute*

27 **5. -(1)** The Council shall convene the annual general of the Institute  
28 on a day as the Council may from time to time appoint any particular year, so  
29 however that if the meeting is not held within one year, so however that if the  
30 meeting is not held within one year after the previous annual general meeting,

1 not more than fifteen months shall elapse between the respective dates of the  
2 two meetings.

3 (2) A special meeting of the institute may be convened by the  
4 Council at any time, and if not less than thirty members of the Institute  
5 require it by notice in writing addressed to the General Secretary of the  
6 Institute setting out the objects of the proposed meeting, the Chairman of the  
7 Council shall convene special meeting of the Institute.

8 (3) The quorum of any general meeting of the Institute shall be  
9 fifteen members, and that of any special meeting of the Institute shall be  
10 twenty-five members.

11 *(b) of the Council*

12 **6.** -(1) Subject to the provision of any standing orders of the  
13 Council, the Council shall meet whenever it is summoned by the Chairman,  
14 and if the Chairman is required to do so by notice in writing given to him by  
15 not less than seven other members, he shall summon a meeting of the  
16 Council to held within seven days from the date on which the notice is given.

17 (2) At any meeting of the Council, the Chairman or in his absence  
18 the Deputy Chairman shall preside; but if both are absent the members  
19 present at the meeting shall appoint one of their numbers to preside at the  
20 meeting.

21 (3) Where the Council desires to obtain advise of any person on a  
22 particular matter, the Council may co-opt him as a member for such period  
23 as the Council thinks fit, but a person who is a member by virtue of the  
24 provisions of this subparagraph shall not be entitled to vote at any meeting of  
25 the Council and shall not count towards a quorum.

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

30

1 *Committees*

2 7.-(1) The Council may appoint one or more committee to carry out  
3 on behalf of the Institute or of the Council, such functions as the Council may  
4 determine.

5 (2) A committee appointed under this paragraph shall consist of the  
6 number of persons determined by the Council, and a person other than a  
7 member of the Council shall hold office on the committee in accordance with  
8 the terms of the instrument by which he is appointed.

9 (3) Any recommendations of a committee of the Council shall be of  
10 no effect until it is approved by the Council.

11 *Miscellaneous*

12 8. -(1) The fixing of the seal of the Institute shall be authenticated by  
13 the signature of the National President or of some other member of the Council  
14 authorized generally by the Institute to act for that purpose.

15 (2) Any contract or instrument which, if made or executed by a person  
16 not being a body corporate, would not be required to be under seal, may be  
17 made or executed on behalf of the Institute or the Council as the case may  
18 require, by any person generally or specially authorized to act for the purpose  
19 by the Council.

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

23 (4) The validity of any proceedings of the Institute or Council of a  
24 committee of the Council shall not be affected by any vacancy in membership,  
25 or of any defect in the appointment of a member of the Institute or of the  
26 Council or of a person to serve on the committee, or by reason that a person not  
27 entitled to do took part in the proceedings.

28 (5) Any member of the Institute or the Council, and any person  
29 holding office on a committee of the Council, who has a personal interest by the  
30 Council or a committee thereof, shall forthwith disclose his interest to the

1 President or to the Council, as the case may be, and shall not vote on any  
2 question relating to the contract or arrangement.

3 (6) A person shall not be reason only of his membership of the  
4 Institute be required to disclose any interest any interest relating solely to the  
5 audit to the accounts of the Institute.

6 SECOND SCHEDULE

7 *Section 15(5)*

8 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

9 TRIBUNAL AND INVESTIGATING PANEL

10 *The Tribunal*

11 1. The quorum of the Tribunal shall be three of whom at least two  
12 shall be professional commercial practitioners.

13 2. -(1) The Chief Justice of Nigeria shall make rules as to the  
14 selection of members of the Tribunal for the purposes of any proceedings  
15 and as to the procedures to be followed and the rules of evidence to be  
16 observed in proceedings before the Tribunal:

17 (a) for securing that notice of the proceedings shall be given at such  
18 time and at such manner as may be specified by the rules to the person who is  
19 the subject of the proceeding;

20 (b) for determining who in addition to the aforesaid, shall be a party  
21 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 Tribunal;

24 (d) for enabling any party to be proceedings to be presented by a  
25 legal practitioner;

26 (e) subject to the provisions of Section 16(5) of this Act, as to the  
27 costs of proceedings before the Tribunal;

28 (f) for requiring, in a case where it is alleged that the person who is  
29 subject of the proceedings is guilty of infamous conduct in any professional  
30 respect, that where the Tribunal adjudges that the allegation has not been

1 proved it shall record a findings that the person is not guilty of such conduct in  
2 respect of the matters to which the allegation relates; and

3 (g) for publishing in the media notice of any direction of the Tribunal,  
4 which has taken effect providing that a person's name shall be struck off a  
5 register.

6 **3.** For the purposes of any proceedings before the Tribunal, any  
7 member of the Tribunal may administer oaths and any party to the proceedings  
8 may sue through the Supreme Court writs of *subpoena ad testandum* and dues  
9 talcum, but no person appearing before the Tribunal shall be compelled:

10 (a) to make any statement before the Tribunal tending to incriminate  
11 himself;

12 (b) to produce any document under such a writ which he could be  
13 compelled to produce at the trial of an action.

14 **4.-(1)** For the purposes of advising the Tribunal on question of law  
15 arising in proceedings before it, there shall in all such proceedings be an  
16 assessor to the Tribunal who shall be appointed by the Council on the  
17 nomination of the Chief justice of Nigeria and shall be a legal practitioner of  
18 not less than seven years standing.

19 (2) The Chief Justice of Nigeria shall make rules as to the function of  
20 assessors appointed under this paragraph, and in particular such rules shall  
21 contain provisions for securing:

22 (a) that where an assessor advises the Tribunal on any question of law  
23 as the evident, procedure or any matters specified in the rules, he shall do so in  
24 the presence of every party or person presenting a party to the proceedings who  
25 appears thereat or, if the advises is tendered while the Tribunal is deliberating in  
26 private, that every such party or persons are aforesaid;

27 (b) that every such party or person as aforesaid shall be informed if in  
28 any case the Tribunal does not accept the advice of the assessor on such a  
29 question as aforesaid.

30 (3) An assessor may be appointed under this paragraph either



1 generally or for any particular proceedings or class of proceedings, and shall  
2 hold and vacate office in accordance with the terms of the instrument by  
3 which he is appointed.

4 *The Panel*

5 **5.** The quorum of the panel shall be two.

6 **6.-(1)** The panel may, at any sitting of the panel attended by all  
7 members of the panel, make standing orders with respect to the panel.

8 (2) Subject to the provisions of any such standing orders, the panel  
9 may regulate its own procedure.

10 *Miscellaneous*

11 **7.-(1)** A person ceasing to be a member of the Tribunal or the panel  
12 shall be eligible for reappointment as a member of that body.

13 (2) A person may, if otherwise eligible, be a member of both the  
14 Tribunal and the panel, but no person who acted as a member of the panel  
15 with respect to any case shall act as a member of the Tribunal with respect to  
16 that case.

17 **8.** The Tribunal or the panel may act notwithstanding any vacancy  
18 in its membership, and the proceedings of either body shall not be  
19 invalidated by any irregularity in the appointment of a member of that, or  
20 (subject to paragraph 7(2) of this schedule) by reason of the fact that any  
21 person who was not entitled to do so took part in the proceedings of the body.

22 **9.** Any document authorized or required by virtue of this Act to be  
23 served on the Tribunal or the panel shall be served on the Registrar  
24 appointed in pursuance of section 10 of this Act.

25 **10.** Any expenses of the Tribunal or the panel shall be defrayed by  
26 the Institute.

27 **THIRD SCHEDULE**

28 *Section 23(3)*

29 **TRANSITIONAL PROVISION AS A PROPERTY, ETC.**

30 **1. -(1)** Every agreement to which the former Institute was a party

1 immediately before the appointment day, whether in writing or not and whether  
2 or not of such a nature that the right, liabilities and obligations there under  
3 could be assigned by the former Institute shall, unless its terms or subject  
4 matter make it impossible that it should have effect as modified in the manner  
5 provided by this subparagraph, have effect from the appointed day, so far as it  
6 relates to property transferred by this Act to the Institute, as if:

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

8 (b) for any reference (however worded and whether expressed or  
9 implied), to the former Institute they were substituted, as respects anything  
10 falling to be done on or after the appointed day, a reference to the Institute; and

11 (c) for any reference (however worded and whether expressed or  
12 implied) to a member or members of the Council of the former Institute or an  
13 officer of the former Institute they were substituted, as respects anything  
14 falling to be done on or after the appointed day, a reference to members of the  
15 Council under this Act or the officers of the former Institute who corresponds  
16 as nearly as may be to the member or officer in question of the former Institute.

17 (2) Other documents which refer, whether especially or generally, to  
18 the former Institute shall be construed in accordance with subparagraph (1) of  
19 this paragraph so far as applicable.

20 (3) Without prejudice to the generality of the foregoing provisions of  
21 this schedule, where, by the operation of any of them or of section 23 of this  
22 Act, any right, liability or obligation vests in the Institute and all other persons  
23 shall, as from the appointed day, have the same rights as to the making or  
24 resisting of legal proceedings or the making or resisting of applications to any  
25 authority for ascertaining, perfecting or enforcing that right, liability or  
26 obligation as they would have had at all times been a right, liability or  
27 obligations of the Institute.

28 (4) Any legal proceedings or application to any authority pending on  
29 the appointed day by or against the former Institute and relating to property  
30 transferred by this Act to the Institute may be continued on or after that day by or

1 against the Institute.

2 (5) If the law in force at the place where any, property transferred  
3 by this Act is situated (whether by reference to an instrument of transfer or  
4 otherwise), the law shall, so far as it provided for alterations of a Registered  
5 (but not for avoidance of transfer, the payment of fees or any matter) apply  
6 with the necessary modifications to the transfer of the property aforesaid,  
7 and it shall be the duty of the Council to furnish the necessary particulars of  
8 the transfer to the proper office of the registration authority, and of that  
9 officer to register the transfer accordingly.

10 *Transfer of functions, etc*

11 2.-(1) At its first meeting, the Council of the Institute shall fix a date  
12 (not later than six months after the appointed day) for the annual general  
13 meeting of the Institute.

14 (2) The members of the Council of the former Institute shall be  
15 deemed to be members of the Council of the Institute until the date  
16 determined in pursuance of the foregoing subparagraph when the Institute  
17 shall have its first annual general meeting, and they shall cease to hold office  
18 at the conclusion of such meeting.

19 (3) Any person who, immediately before the appointed day, held  
20 offices as the President or Vice President of the Council of the former  
21 Institute shall on that day become the President or, as the case may be, the  
22 Vice-President of the Institute and shall be deemed:

23 (a) to have been appointed to that office in pursuance of the  
24 provision of this Act corresponding to the relevant provision in the said  
25 articles of the Institute; and

26 (b) to have been appointed on the date on which he took office, or  
27 last took office, in pursuance of the relevant provision of the relevant  
28 articles.

29 (4) The members of the former Institute shall, as from the  
30 appointed day, be registered as members of the Institute, and without

1 prejudice to the generality of the provisions of this schedule relating to the  
2 transfer of property, any person who, immediately before the appointed day,  
3 was a member of the staff of the former Institute shall on that day become the  
4 holder of an appointment with the Institute with the status, designation and  
5 functions which corresponds as nearly as may be to those which appertained to  
6 him in his capacity as a member of that staff.

7 (5) Any person being an office-holder on, or member of the Council of  
8 the Institute immediately before the appointed day and deemed under this  
9 paragraph to have been appointed to any like position in the Institute, or on the  
10 Council of the Institute, and thereafter otherwise than by reason of this  
11 misconduct, shall be eligible for appointment in the Institute or to membership  
12 of the Council as the case may be.

13 (6) All allegations, rules and similar instrument made for the purposes  
14 of the Institute, and in force immediately before they are subsequently revoked  
15 or amended by any authority have power in that behalf have effect, with any  
16 necessary modifications, as if duly made for the corresponding purposes of the  
17 Institute.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Chartered Institute of Public Management to provide for the control of its membership and to promote the practice of Public Management in Nigeria.