

CHARTERED INSTITUTE OF LOGISTICS AND TRANSPORT (CILT)

NIGERIA BILL, 2017

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A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF LOGISTICS AND TRANSPORT (CILT), NIGERIA, CHARGED WITH THE RESPONSIBILITY FOR, AMONGST OTHERS, DETERMINED THE STANDARDS OF KNOWLEDGE, SKILL AND QUALIFICATION OF PERSONS SEEKING TO BECOME REGISTERED PROFESSIONALS AND PRACTITIONERS IN LOGISTICS AND TRANSPORT IN NIGERIA; AND FOR LICENSING AND REGULATING THE PRACTICE OF LOGISTICS AND TRANSPORT IN ALL RAMIFICATIONS AND FOR RELATED MATTERS

Sponsored by Hon. Abbas Tajudeen

[] Commencement

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

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PART 1 - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF LOGISTICS AND TRANSPORT, NIGERIA (CILT)

1. There is hereby established a body known as the Chartered Institute of Logistics and Transport, Nigeria (in this Bill referred to as the "Institute") which shall be a body corporate and charged with:

Establishment of the Chartered Institute of Logistics and Transport, Nigeria (CILT)

- (a) Perpetual succession;
- (b) A common seal which shall be kept in such custody as the Council may direct;
- (c) May sue and can be sued in its corporate name;
- (d) May, subject to the Land Use Act, acquire, hold and dispose of any property, moveable or immovable;
- (e) On the commencement of this Bill, all properties held immediately before that day by or on behalf of the former Institute shall, by virtue of this subsection and without any further assurances, vest in the Institute and be held by it for the purposes of the Institute; and
- (f) The former Institute shall cease to exist.

- 1 (2) The Institute shall have general duty of:
- 2 (i) Determining what standard of knowledge and skill are to be
- 3 attained by person seeking to become registered professionals and
- 4 practitioners in Logistics and Transport;
- 5 (ii) Certifying and licensing persons/bodies wishing to practice as
- 6 Logisticians and/or Transportants;
- 7 (iii) Holding and maintaining a register of logistics and transport
- 8 professionals and practitioners in Nigeria;
- 9 (iv) Promoting the study and practice of the art and science of
- 10 logistics and transport in all ramifications;
- 11 (v) Ensuring supply of quality personnel to be industry;
- 12 (vi) Establishing, maintaining and upholding the ethics of
- 13 professional practice in Logistics and Transport;
- 14 (vii) Keeping qualified individuals professionally up-to-date
- 15 throughout their career;
- 16 (viii) Establishing, promoting and monitoring standards of
- 17 professional practice;
- 18 (ix) Conducting, encouraging and sponsoring research in the field of
- 19 logistics and transport;
- 20 (x) Accrediting reputable training providers to train students for the
- 21 Institute's Examinations;
- 22 (xi) Providing advisory and advocacy services in Logistics and
- 23 Transport;
- 24 (xii) Rewarding excellence and sanctioning unprofessional practice;
- 25 (xiii) Collaborating with other reputable professional bodies towards
- 26 professional development.

27 2.-(1) There shall be a President and six (6) Regional Vice Presidents

28 representing the six Geo- political Zones of the Country i.e. North-West,

29 North-Central, North-East, South-West, South-East and South-South, all of

30 whom shall:

1 (a) Be Fellows of the Institute;

2 (b) Be elected by the General Assembly;

3 (2) There shall be an elected Female representative in the Council.

4 (3) All international office holders resident in Nigeria including
5 but not limited to International Vice President (IVP) for Africa/Chairman,
6 Africa Forum, International Vice President for Nigeria and Global
7 Convenor, Women in Logistics and Transport, (WLAT) shall be members of
8 the Council.

9 (4) There shall be a representative appointed from each of the
10 following:

11 (i) Ministry of Transportation;

12 (ii) Ministry of Trade, Industry and Investment;

13 (iii) Accredited Training Providers;

14 (iv) Women in Logistics and Transport (WILAT);

15 (v) Nigerian Armed Forces.

16 (5) There shall be a Regional Secretariat under the supervision of
17 the national Secretariat.

18 (6) There shall be a Regional Council, each headed by the
19 respective Regional Vice President with the head of the regional Secretariat
20 who shall not be a member of Council serving as Secretary. The Regional
21 Council shall consist of the following members:

22 (i) The Regional Vice President – Chairman;

23 (ii) The Chairman of the Branch where the Regional Office is
24 located - Vice Chairman;

25 (iii) Representative of Road Mode;

26 (iv) Representative of Air Mode;

27 (v) Representative of Maritime Mode;

28 (vi) Representative of Pipeline Mode;

29 (vii) Representative of Logistics;

30 (viii) One Female Representative;

- 1 (ix) One WiLAT Representative;
2 (x) One Representative of Young Professionals.
3 (7) The Council shall through the instrumentality of the Constitution
4 determine the process of election and appointment to all Council offices.

The Governance
Council

5 3.-(1) There is established for the Institute a Governing Council (in
6 this bill referred to as "the Council") with the responsibilities for:

- 7 (a) Policy making;
8 (b) Providing general direction for the management of the Institute.

9 (2) The Council shall consist of 15 members constituted as follows:

10 (i) The National President of the Institute, who shall be the Chairman
11 of the Council;

12 (ii) The Deputy President of the Institute, who shall be the Deputy
13 Chairman of the Council;

14 (iii) Six (6) Regional Vice-President of the Institute, who shall each be
15 the Vice Chairman of the Council;

16 (iv) The immediate past President of the Institute who shall serve for
17 one year as ex-officio;

18 (v) The International Vice President (IVP);

19 (vi) Representative of Women in Logistics and Transport (WiLAT);

20 (vii) Female representative;

21 (viii) Representative from the Ministry of Transportation;

22 (ix) Representative of Trade, Industry and Investment;

23 (x) Representative from the Armed Forces;

24 (xi) Representative of the Accredited Training Providers;

25 (3) The President shall be:

26 (i) The Head of the Institute, Chairman of the Council and preside
27 over all Meeting of the Council;

28 (ii) In the event of the permanent unavailability arising from death,
29 incapacity or inability, of the President, the Deputy President shall assume
30 the position of the president for the unexpired period of the tenure.

1 4.-(1) There shall be appointed a seven-member Board of Trustees Appointment of
Board of Trustees
2 by the Council for the Institute, whose period shall be for a term of three (3)
3 years. Any member of the Board of Trustees may be eligible or re-
4 appointment for another term of three (3) years, only.

5 (2) Membership of the Board of Trustee shall be drawn from
6 amongst the distinguished Fellow (FCILT) of the Institute who have made
7 substantial contributions to the Industry.

8 PART II - THE REGISTRAR

9 5.-(1) The Council shall appoint a qualified person to be Registrar Appointment
and duties of the
Registrar and
maintenance of
the Register
10 for the purposes of this Bill, as the Institute may, from time to time, deem
11 necessary, who shall be a professional/practitioner of Logistics and
12 Transport, and at least of Chartered Member of the Institute.

13 (2) The Registrar shall be the Chief Executive Officer of the
14 Institute and Secretary to the Council though not a member of Council.

15 (3) It shall the duty of the Registrar to prepare and maintain, in
16 accordance with rules made by the Council, a register of names, address and
17 approved qualifications and such other relevant particulars as may be
18 specified in the rules, of all persons who are entitled to be enrolled as
19 Professional Ambassadors, Honorary Fellows, Fellow, Chartered Members,
20 Member, Affiliates, and Student Members. In addition, the Registrar shall
21 keep a specialist Register of Professionals, Practitioners and Corporate
22 Members who apply to be so registered.

23 (4) Subject to the following provisions of this section, the Council
24 may make rules with respect to the form and keeping of the register and the
25 making of entries therein, and in particular:

26 (a) The making of applications for enrolment;

27 (b) Providing for notification to the Registrar, by the person or
28 entity to whom any registered particulars relate, to any change in those
29 particulars;

30 (c) Authorizing a registered person to have any qualification which

1 is, in relation to the relevant division of the profession, either an approved
2 qualification or an accepted qualification for the purposes of this Bill,
3 registered in relation to his name in addition to or, as he may elect, in
4 substitution for any other qualifications so registered;

5 (d) Specifying the fees including subscription to be paid to the
6 Institution in respect of the entry of name on the register and authorizing the
7 Registrar to refuse to enter a name on the register until any fee specified for the
8 entry has been paid;

9 (e) Specifying anything failing to be specified under the foregoing
10 provisions of this section, but rules made for the purposes of paragraph (d) of
11 this subsection shall not come into force until they are confirmed at a special
12 meeting of the Institute convened for the purpose thereafter or at the next
13 annual general meeting as the case maybe.

14 6.-(1) It shall be the duty of the Registrar to:

15 (a) Prepare and publish a Register within one year after the
16 enactment of this Bill;

17 (b) Update the Register with new entrants to and exists from the
18 Institute from time to time;

19 (c) Cause the register to be printed, published and put out on sale to
20 member of the public every year; and

21 (d) Correct, in accordance with the directions of the Council, any
22 entry in the Register which in the opinion of the Council was incorrectly made;
23 and to cause to be printed, published and put on sale either a corrected edition
24 of the register or a list of alterations made to the register since it was last
25 printed; and -

26 (e) Cause a print of each edition of the register and of each list of
27 corrections to be deposited at the principal office of the Institute, and made
28 available at all reasonable times for inspection by members of the Institute.

29 (f) Cause to publish on the Institute's website a register of members.

30 (2) A document purporting to be a print of an edition of the register

1 published under this section by authority of the Registrar or documents
2 purporting to be prints of an edition of the register so published and of a list
3 of corrections to that edition so published, shall (without prejudice to any
4 other mode of proof) be admissible in any proceedings as evidence that any
5 person specified in the document, or documents read together, as being
6 registered, is so registered at the date of the edition or of the list of
7 corrections, as the case may be, and that any person not so specified was not
8 so registered.

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

14 (4) If the Registrar sends by post, email or any other medium to
15 any registered person a correspondence addressed to him at his address on
16 the register enquiring whether the registered particulars relating to him are
17 correct and receives no reply to the letter within the period of six months
18 from the date of posting it; and

19 (5) Upon the expiration of that period send in the like manner to
20 the person in question a second similar letter and receives not reply to that
21 letter within three months from the date of posting it, the Registrar may
22 remove the particulars relating to the person in question from the register;

23 (6) However, the Council may direct the Registrar to restore to the
24 appropriate part of the register any particulars removed there from under this
25 subsection, if it is satisfied that the conditions are met;

26 (7) Make from time to time, any necessary alteration to the
27 registered particulars of registered persons;

28 (8) Remove from the register the name of any registered person
29 who has died or ceased to be a member;

30 (9) Record the names of members of the Institute who are in default

1 for more than six months in the payment of annual subscriptions, and to take
2 such action in relation thereto (including removal of the names of defaulters
3 from the register) as the Council under this Bill, may direct or require.

Registration of
Logistics and
Transport
Professionals and
Practitioners

4 7.-(1) The Institute will hold a General Register in two parts, namely:

5 Part 1: Individual Members

6 Part 2: Corporate Members

7 (2) A person may be entitled to be registered as a student Member,
8 Affiliate Member, Member, Chartered Member, Fellow, Honorary Fellow, and
9 Professional Ambassador, subject to qualifications, professional experience
10 and contributions.

11 (3) A Corporate entity may be registered in any of the Four Categories,
12 such as Platinum, Gold, Silver and Bronze, subject to satisfactory evaluation of
13 its structure, performance, contributions and other established criteria.

14 (4) The Institute shall publish from time to time, the approved
15 qualifications and criteria for registration under this bill.

Licensing

16 8.-(1) The Institute shall license professionals and practitioners
17 according to their areas of expertise and professional practice. In general, an
18 individual can be registered as a Chartered Transportant and/or Logisticians, if
19 he satisfies the established criteria set from time to time by the Council.

20 (2) An individual can be registered in any of the specialized areas in
21 Transport and Logistics, as a Transport Planner, Transport Economist,
22 Transport Geographer, Transport Administrator, Transport Technologist,
23 Transport Engineer, Transport Lawyer, Transport Modeler, Transport Analyst,
24 Transport Operator, Port Operations Specialists, Inventory/Warehouse
25 Specialist, Air Operation Specialist, Logistics Integrator, Transport Policy
26 Specialist, Air Passenger Specialist, Road Operations Specialist, Road
27 Passenger Specialist, Maritime Operations Specialist, etc.

28 (3) Those so licensed under sub-section 2 above shall be entitled to
29 apply for the Institute's seal, for use in their professional practice.

30 (4) There shall be Certification of Transport and Logistics

1 Professionals, such as Certified Transport Technician (CTT), Certified
2 Logistician (CL), Certified Transportant (CT).

3 (5) Practitioners who are corporate bodies shall be registered as a
4 Certified Logistics Service Providers, Certified Passenger Transport
5 Operators, Certified Freight Operators, etc.

6 PART III - PROFESSIONAL DEVELOPMENT

7 9.-(1) The Institute shall determine and publish approved
8 qualifications and levels of experience for the various grades of entry and
9 upgrades in its Membership.

Approval and
withdrawal of
qualifications

10 (2) In pursuance to section I above, the Institute shall accredit
11 Institutions for the purpose of providing trainings towards the Institute's
12 certification.

13 (3) The Institute may establish educational Institutions for the
14 purpose of developing the profession.

15 (4) The Institute may approve:

16 (a) Any course of training at any approved institution which is
17 intended for persons seeking to become or are already members of the
18 Institute and which in the opinion of the Council is designed to confer on
19 persons completing it sufficient knowledge and skills for the practice of the
20 profession;

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 candidate searching as standard at the examination
24 indicating in the opinion of the Council, that the candidates have sufficient
25 knowledge and skill for the practice of the profession.

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

29 (a) Give notice that it proposes to do so to Institutions by whom the
30 course is conducted or the qualification is granted;

1 (b) Afford such Institutions an opportunity of making to the Council
2 representations with regard to the proposal; and

3 (a) Take into consideration any representation by trainees of such
4 Institutions benefiting from its programmes with respect to the proposal in
5 pursuance of paragraph (b) of this subsection.

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

9 (7) The withdrawal of an approval under subsection (6) of this section
10 shall not prejudice the registration or eligibility for registration of any person
11 who by virtue of the approval was registered or was eligible for registration
12 (either unconditionally or subject to his obtaining certificate of experience)
13 immediately before the approval was withdrawn.

14 (8) The giving or withdrawal of any approval under this section shall
15 have effect from such date either before or after the execution of the instrument
16 signifying the giving or withdrawal of the approval, as the Council may specify
17 in that instrument.

18 (9) As provided in this section, holders of Certificate in Logistics and
19 Transport shall be known as Assistant Logisticians/Transportants with entry
20 level of Grade Level 05; holders of the Diploma in Logistics and Transport
21 shall be known as Senior Logisticians/Transportants with entry level of Grade
22 Level 07, while holders of the Advanced Diploma in Logistics and Transport
23 shall be known as Principal Logisticians/Transportants, with entry level of
24 Grade Level 09 in the Civil Service.

25 (10) Certified Logisticians/Transportants' entry level in the Civil
26 Service shall be Grade Level 12 and are qualified to certify projects requiring
27 professional endorsements. No person, who is not a Chartered
28 Logistician/Transportant shall endorse any logistics and transport related
29 projects.

30 10.-(1) The Institute shall establish uniform standards of Instruction

1 and examination for all accredited training providers/institutions.

2 (2) Any Institution applying for accreditation must meet the
3 standards in respect of facilities and faculties.

4 (3) Each accreditation has a life-span of three years before re-
5 accreditation.

6 (4) The Institute shall hold its examinations twice every year - June
7 and November.

8 (5) The Council shall appoint a visitor to oversee the conduct of
9 instruction and examination of accredited training providers.

10 11. The Institute shall organize two categories of Mandatory
11 Professional Development as follows:

Mandatory
Professional
Development

12 Category 1: For Students, Affiliates and Members

13 Category 2: For Chartered Members and Fellows

14 PART IV - FINANCIAL PROVISIONS, ASSETS AND LIABILITIES

15 12.-(1) The Council shall establish and maintain a fund for the
16 Institute the management of which shall be in the hands of the Registrar who
17 is the Chief Accounting Officer and into which shall be paid:

Fund of the
Institute

18 (a) All monies received by the Institute in pursuance of its
19 objectives including fees, levies, grants, investitures, donations and
20 honoraria;

21 (b) Such monies as may be payable to the Institute whether in the
22 course of the discharge of its functions or otherwise;

23 (c) Such monies as may, from time to time, be granted to the
24 Institute by government, parastatals, companies, agencies and institutions
25 and such other funds as may be provided by donors, benefactors or external
26 sources; and

27 (d) Such monies as are held by the Chartered Institute of Logistics
28 and Transport in Nigeria incorporated under the Companies and Allied
29 Matters Act 1990 (in this Bill hereinafter referred to as "as Institute") on its
30 ceasing to exist as provided in this Bill.

1 (2) There shall be disbursed out the fund of the Institute:

2 (a) All reasonable expenditures incurred by the Council in the
3 discharge of its functions under this Bill;

4 (b) The remuneration and allowance of the Registrar and other staff of
5 the Institute;

6 (c) The remuneration for professional services rendered by Members
7 or any other party on behalf of the Institute or in collaboration with the
8 Institute; and

9 (d) Such reasonable traveling and subsistence allowances of
10 members of the Council in respect of the time spent on the duties of the Council
11 as the Council may determine from time to time.

Powers to accept
gifts

12 **13.**-(1) Subject to sub-section (1) of this section, the Council may
13 accept gifts of lands, money or other property upon such terms and conditions,
14 if any, as may be specified by the person making the gift. The Council shall not
15 accept any gift if any of the conditions attached by the person making the gift is
16 inconsistent with the objectives of the Institute.

17 (2) The Institute may invests its funds in any security such as treasury
18 bills, shares or other securities in Nigeria approved by the Council.

Borrowing

19 (2) The Council may, from time to time, borrow for the purposes of
20 the Institute and any interest payable on money so borrowed shall be paid out of
21 the Institute's Fund.

Accounts, record
and audit

22 **14.**-(1) The Registrar shall keep proper accounts on behalf of the
23 Institute in respect of each financial year and proper records in relation to those
24 accounts; and

25 (2) The Council shall:

26 (a) Appoint an external Auditor for the purpose of this section who
27 shall not be a member of the Council.

28 (b) Cause the accounts to be audited each year by the external auditor.

Assets and
Liabilities

29 **15.**-(1) On the commencement of this Bill:

30 (a) All properties held immediately before that day or on behalf of the

1 former Institute shall, by virtue of this subsection and without any further
2 assurances, vest in the Institute and be held by it for the purposes of the
3 Institute;

4 (b) The former Institute shall cease to exist; and

5 (2) The provisions of the Second Schedule to this Act shall have
6 effect with respect to, and matters arising from the transfer by this section to
7 the Institute of the property of the former Institute and with respect to the
8 other matters mentioned in the Schedule.

9 PART V - PROFESSIONAL ETHICS AND DISCIPLINE

10 16.(1) It shall be considered unprofessional and inconsistent with
11 honourable and dignified conduct and contrary to public interest, for any
12 Member of the Chartered Institute of Logistics and Transport, Nigeria to:

Code of Conduct
and Ethics

13 (i) Practice as a Logistician and/or Transportant without a valid
14 license;

15 (ii) Practice as a Logistician and/or Transportant without a
16 registered business premises:

17 (i) Charge more than 10 percent of the total cost of the contract as
18 professional fees;

19 (ii) Operate a business in a manner that compromises health and
20 safety standard;

21 (iii) Engage unprofessional staff to execute professional services;

22 (iv) Operate without insurance cover for passengers as a passenger
23 transport operator;

24 (v) Fail to adhere to regulations guiding the use of plant,
25 equipment;

26 (vi) Hold out his services outside of what he is registered and know
27 for by the Institute;

28 (vii) Exert undue influence or to offer, solicit or accept
29 compensation for the purpose for affecting negotiations for a professional
30 engagement;

1 (viii) Use the advantages of a salaried position to compete unfairly
2 with other professionals;

3 (ix) Accept remuneration for services rendered other than from his
4 client or his employer;

5 (x) Attempt to supplant another practitioner in a particular
6 engagement after definite steps have been taken toward employment for a
7 project;

8 (xi) Review the work of another practitioner for the same client
9 except with the knowledge of such practitioner, unless such practitioner's
10 engagement on the work which is subject to review has been terminated;

11 (xii) Attempt to injure, falsely or maliciously, the profession,
12 business, or employment position of another Logistician and/or Transportant;

13 (xiii) Place orders on his own behalf, in respect of a project on which
14 he is engaged but shall only do so explicitly on behalf of his client;

15 (xiv) Be the medium of payments made on his behalf unless
16 especially so requested in writing by his client, but shall only issue certificates
17 for payment;

18 (xv) Take part in a competition involving the submission of proposals
19 and designs for logistics and transport work unless an assessor who shall be a
20 Transport and Logistics Professional of acknowledged standing, has been
21 appointed to whom such proposals and designs are to be submitted for
22 assessment;

23 (xvi) Advertise Logistics and Transport services in any manner
24 derogatory to the dignity of the profession;

25 (xvii) Practice in a dual capacity as a consultant and contractor for the
26 same project except with prior written consent of the client.

27 (2) A Member shall:

28 (i) Have an obligation to exercise honesty, objectivity, and diligence
29 in the performance of his duties and responsibilities;

30 (ii) Refrain from entering into any activity which may be in conflict

1 with the interest of his profession or which would prejudice his ability to
2 carry out objectively, his duties and responsibilities to the Institute,
3 Members, Nigeria and the general public at large;

4 (iii) Be prudent in the use of information acquired in the course of
5 his duties. He shall not use confidential information for any person gain nor
6 in a manner which would be damaging to the welfare of his members,
7 employers and the general public;

8 (iv) In expressing an opinion, use all reasonable care to obtain
9 sufficient factual evidence to warrant such expression. In his reporting, a
10 Member shall reveal such material facts known to them which, if not
11 revealed, could either distort the report of the results of operations under
12 reviews or conceal unlawful practice;

13 (v) Continually strive for improvement in the proficiency and
14 effectiveness of his service;

15 (vi) Abide by the by-law and uphold the objectives of the Institute.
16 In the practice of his profession, he shall be ever mindful of his obligation to
17 maintain the highest standard of competence, morality, and dignity, which
18 the CILT Nigeria National Council has established;

19 (vii) Declare all necessary details pertaining financial transactions
20 on which he is liable to pay charges to the Institute within three (3) months.
21 Failure of which shall amount to the offence of concealing material facts;

22 (3) A training provider in holding the trust of the general public,
23 shall exhibit loyalty in all matters pertaining to the affairs of Training their
24 students and to whosoever they may be rendering a service.

25 (4) Sanctions for breaches of the Code shall include a fine,
26 suspension and delisting. The amount of fine and the appropriate penalty
27 shall be left at the discretion of the Council.

28 (5) On Logistics and Transport works in foreign countries, a
29 member may adapt his conduct according to the professional standards and
30 customs of that country, but shall adhere as closely as practicable, to the

Establishment
of Disciplinary
Tribunal and
Investigating
Panel

1 principles of this code.

2 17.-(1) There is established the Chartered Institute of Logistics and
3 Transport Disciplinary Tribunal (in this Bill referred to as "the tribunal") which
4 shall be charged with the duty of considering and determining any case referred
5 to it by the Panel established under subsection (3) of this section, and any other
6 case which the tribunal has cognizance under this Bill.

7 (2) The tribunal shall consist of a Chairman and 4 other members
8 appointed by the Council.

9 (3) There is established the Chartered institute of Logistics and
10 Transport Investigation Panel (in this Bill referred to as "the Panel") which
11 shall be charged with the duty of:

12 (a) Conducting a preliminary investigation into any case where it is
13 alleged that a member has misbehaved in his capacity as a Chartered
14 Transportant or Logistician or, should for any other reason, be the subject of
15 proceedings before the tribunal;

16 (b) Determining the disciplinary measures to be taken on any erring
17 Member where applicable; and/or

18 (c) Deciding whether the case shall be referred to the Tribunal.

19 (4) The panel shall be appointed by the Council and shall consist of
20 the chairman who shall be a member of the Council and three senior members
21 who shall be Fellows of the Institute.

22 (5) The provisions of the Third Schedule to this Bill shall, so far as
23 they are applicable to the tribunal and panel respectively, have effect with
24 respect to those bodies.

25 (6) The Council may make rules consistent with this Bill as to acts
26 which constitute unprofessional conduct.

Penalties for
unprofessional
conduct

27 18.-(1) Where:

28 (a) A person enrolled or registered under this bill is:

29 (i) Adjudged by the tribunal to be guilty of infamous conduct in any

1 professional respect;

2 (ii) Convicted by any court in Nigeria or elsewhere having power
3 or competent jurisdiction, of an offence (whether or not punishable with
4 imprisonment) which, in the opinion of the Tribunal, is incompatible with
5 the status of a Chartered Transportant or Logistician;

6 (iii) The Tribunal is satisfied that the person was fraudulently
7 enrolled or registered.

8 (b) The Tribunal may, if it deems fit, give a direction reprimanding
9 that person or ordering the registrar to strike his name off the relevant part of
10 the register.

11 (2) The Tribunal may, if it deems fit, defer or further defer its
12 decisions as to the giving of a direction under subsection (1) of this section
13 until a subsequent meeting of the Tribunal.

14 (3) No decision of the Tribunal shall be deferred under subsection
15 (2) of this section for period exceeding one year in the aggregate.

16 (4) As far as possible, no person shall be a member of the Tribunal
17 for the purposes of reaching a decision which has been differed or further
18 deferred, unless he was a member of the Tribunal when the decision was
19 deferred.

20 (5) For the purpose of subsection (1) (a) (ii) of this section, a person
21 not be treated as convicted as therein mentioned unless the conviction stands
22 at a time when no appeal or further appeal is pending or may (without
23 extension of time) be brought in connection with the conviction.

24 (6) When the Tribunal gives a direction under subsection (1) of
25 this section, it shall give a notice of the direction to be served on the person to
26 whom it relates.

27 (7) The person to whom the direction gives under subsection (1) of
28 this section relates may, at any time within 28 days of the date of service on
29 him of notice of that direction, appeal against the direction to the Federal
30 High Court, and the Tribunal may appear, as respondent to the appeal and,

1 for the purpose of enabling directions to be given as the costs of the appeal and
2 of the proceeding before the Tribunal, the Tribunal shall be deemed to be a
3 party thereto whether or not it appears on the hearing of the appeal.

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

6 (a) No appeal under this section is brought against the direction
7 within the time limited to such appeal, or on the expiration of that time;

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

10 (c) Such an appeal is brought and is not withdrawn or struck out if and
11 when the appeal is dismissed.

12 (9) A person whose name is removed from the register in pursuance
13 of a direction of the Tribunal under this section shall not be entitled to be
14 registered again except in pursuance of a direction in that behalf given by the
15 Tribunal on the application of that person.

16 (10) A direction under this section for the removal of person's name
17 from the register may prohibit an application under subsection (9) of this
18 section by that person until the expiration of such period from the date of this
19 direction (and where he had duly made such an application, from the date of his
20 last application) or as may be specified in the direction.

21 PART VI - MISCELLANEOUS PROVISIONS

Application of
Bill to un-enrolled
persons

22 19.-(1) Any practicing person or body corporate who is not registered
23 before the commencement of this Bill, shall at the commencement of this bill
24 be required to register with the Institute within six months from the
25 commencement of this Bill.

26 (2) Where an application under subsection (1) of this section is
27 approved by the Council, the applicant shall be enrolled or registered, as the
28 case may be, according to his qualification.

29 (3) After the expiration of the time given in subsection (1) of this
30 section, any person practicing as a Transportant or Logistics without

1 registration shall be served a notice of default.

2 (4) If he fails to register, such a person or body corporate shall be
3 subjected to the following disciplinary actions:

4 (i) The name of the operator and/or person shall be published;

5 (ii) The business premises shall be sealed up;

6 (iii) A legal proceeding shall be instituted against such a person or
7 body corporate; if he continues in default. The penalties shall include ban on
8 practice, jail terms, fines, and other sanctions as the Council may decide
9 from time to time

10 20.-(1) Subject to subsection (2) of this section, a person shall be
11 deemed to practice as a Transportant or Logistician if, in consideration of
12 remuneration received or to be received, and whether by himself or in
13 partnership with any other person(s), he:

When a person is
deemed to practice
as a Logistics or
Transportant

14 (a) Engage himself in the practice of transport or logistics
15 management or holds himself out to the public as a Transportant or
16 Logistician;

17 (b) Renders professional service or assistance in or about matters
18 of principle or detail relating to Logistics and Transport;

19 (c) Renders any other service which may, by regulations made by
20 the Council, be construed as service constituting practice as Tranportant or
21 Logistician.

22 (2) This section applies to persons who, while in the employment
23 of any government or private organizations, are required under the terms of
24 such employment, to perform the duties of a Transportant or Logistician.

25 21.-(1) Subject to subsection (2) of this section, an organization
26 which holds out itself to provide services in logistics and transport shall be
27 deemed to be in logistics and/or transport practice if, in consideration of
28 remuneration received or to be received, and whether by itself or in
29 partnership with any other persons/organizations, it:

When a
organizations is
deemed to be in
Logistics or
Transport practice

30 (a) Engages itself in the practice in any area of logistics or transport

1 service or holds itself out to the public as a Transport or Logistics service
2 provider;

3 (b) Renders professional service or assistance in or about matters of
4 principle or detail relating to Logistics and Transport.

5 (c) Renders any other service which may, by regulations made by the
6 Council, be construed as Transport or Logistics practice.

7 (2) This section applies to any organization which offers service
8 relating to logistics and transport, either alone or in partnership with other
9 persons or body corporate.

Licensing and
Practising Fees

10 22.-(1)The Council shall establish a licensing regime for
11 professionals and practitioners.

12 (2) Licensed professionals shall be issued with an Operating License
13 and a Seal to practice.

14 (3) Licensed practitioners shall be issued with a compliance
15 certificate renewable every two years.

16 (4) A license will take an oath of office before he is given a license and
17 he is expected to discharge his responsibilities with the highest ethical
18 standards and utmost integrity.

19 (5) The license remains the property of the Institute and is subject to
20 be withdrawn or suspended if the professional is involved in any unethical
21 practices. Such a licenses may also be subject to established disciplinary
22 processes as the Council may prescribe from time to time.

23 (6) The licensee shall pay a licensing fee to obtain a practicing license
24 which shall be renewable every two years.

25 (7) The licensing fee is inclusive of a mandatory professional
26 standard training which must be attended once in every year.

27 (8) The license shall be subject to a practicing fee to the Institute, as
28 may be prescribed by the Council from time to time.

29 (9) The practitioner shall be subject to withdrawal or suspension of
30 Certificate if he falls below prescribed standard of practice.

1 (10) All withdrawals and/or suspension of certificates are to be
2 published.

3 (11) All rules and regulations shall be published by the Institute.

4 23. The Institute may confer awards of Professional Ambassador
5 on deserving personalities in logistics and transport as the Council may
6 deem fit from time to time. Conferment of
Professional
Ambassador

7 24. The Institute shall: Provisions of
knowledge centre

8 (a) Provide and maintain conducive knowledge centres comprising
9 resource library, demonstration equipment, learning aids, etc for the
10 advancement of knowledge competence and skills in logistics and transport;

11 (b) Encourage research in logistics and transport and allied
12 subjects to the extent Council may, from time to time, consider necessary;

13 (c) Engage of qualified knowledge resource manager to run the
14 Institute's knowledge centre;

15 (d) Allow unfettered access of members to the stock of educational
16 resources in the knowledge centre;

17 (e) Allow access of approved members of the public by the
18 Registrar to the stock of education resources in Knowledge Centre for
19 research purpose at a token charge to be decided upon by the Council from
20 time to time.

21 25.-(1) The Council may from time to time make rules and regulations
22 it considers to be of interest to the Institute and the generality of its members. Extraordinary
Rules and
Regulations

23 (2) Any regulation made under this Bill shall be published within
24 three months after it has been made; and a copy shall be deposited at the
25 office of the Registrar, a copy each shall be sent to the office of the Patron -
26 the Honourable Minister of Transportation, as well as the National Library,
27 and published in the Institute's website within three months after such rule
28 was made.

29 (3) Rules made for the purposes of this Bill shall be subject to
30 ratification by the Institute at its Annual General Meeting or at any extra-

Offences and
Penalties

1 ordinary meeting of the Institute convened for the purpose and, if annulled
2 shall cease to have effect immediately after such resolution without prejudice
3 to anything done in pursuance or intended pursuance of such rules.

4 26.-(1) A person is guilty of an offence if for the purpose of registering
5 any name, qualification or other matter:

6 (a) Makes a statement which is untrue in a material particular, or

7 (b) Deliberating makes a statement which is false in a material
8 particular.

9 (2) Any person not a member of the Institute is guilty of an offence if,
10 he practices as a Transportant or Logistician or uses any name, title, or
11 description implying that he is in practice as a registered member of the
12 institute.

13 (3) A person guilty of sections (1) and (2) above shall subject to
14 section 14 be absolved or his offences if he makes successful application to the
15 Institute and is so notified.

16 (4) An employee of the Institute commits an offence if he wilfully
17 makes any falsification in any matter relating to the Register.

18 (5) A person who commits an offence under this section is liable:

19 (a) On summary conviction, to a fine of an amount not less than N100
20 and

21 (b) On conviction or indictment, to a fine not less than N100,000 or to
22 imprisonment for a term not below six months, or both.

23 (6) Where an offence under this section which has been committed by
24 a body corporate is proved to have been committed with the consent or
25 connivance of, or to be attributable to any neglect on the part of, any employee
26 or any person purporting to act in such capacity, he, as well as the body
27 corporate, shall be deemed to be guilty of that offence and liable for
28 prosecution accordingly.

29 (7) In addition to subsection 1- 6 of this section, a list of all offenders
30 shall be periodically published.

1 27. In this Bill: Interpretations

2 "Commencement date" means the day this Bill comes into force;

3 "Transportant" means a transport professional;

4 "Logistician" means a logistics professional;

5 "Practitioner" means a transport/logistic service provider;

6 "Fellow" mean a Transportant/Logistician with a Fellow status of the

7 Institute. This is the core professional and the highest status of the Institute,

8 with Pot nominal FCILT;

9 "Honorary Fellow" means a Transportant/Logistician with an Honorary

10 status of the Institute, with Post nominal HFCILT;

11 "Chartered Transportant" means a Transportant with a Chartered Status of

12 the Institute, with post nominal CMILT;

13 "Chartered Logistician" means a Logistician with a Chartered Status, with a

14 post nominal MILT;

15 "Member of the Institute" means persons admitted and registered as

16 Chartered and none Chartered Members of the Institute;

17 "Affiliate Member" means an entry level transportant/logistician, with no

18 post nominal;

19 "Student Member" means a trainee transportant/logstician, with no post

20 nominal;

21 "Council" mean the governing body of the Institute;

22 "Board of Trustees" mean a board set up by Council to carry out prescribed

23 functions as contained in this act;

24 "Registrar" mean the Chief Executive Officer of the Institute employed by

25 Council;

26 "Enrolled" means members registered in the part of the register relating to

27 professional Ambassador, Honorary Fellow, Fellow Chartered Member,

28 and none Chartered member such as Members, Affiliates, and students, as

29 the case may be;

30 "Fees" means all statutory moneys in respect to registration, annual

1 subscriptions, licensing, practicing, renewals, levies, etc.
2 "Incorporated Institute" means the Chartered Institute of Logistics and
3 Transport of Nigeria incorporated under the Companies and Allied Matters
4 Act;
5 "Institute" means the Chartered Institute of Logistics and Transport of Nigeria
6 established under section 1 (1) of this Bill;
7 "Council Member" means an elected member of the Council;
8 "Minister" means the Minister charged with responsibility for matters related
9 to Transportation;
10 "Panel" means the Chartered Institute of Transport and Logistics Investigation
11 Panel established by section 15 (3) of this Bill;
12 "President, Deputy President and Vice - Presidents" means respectively the
13 office holders under those names in the institute;
14 "Register" means the register prepared and maintained under section 10(2) of
15 this Bill;
16 "Approved qualification" means qualification approved by Council;
17 "Ethics" means well-based principles of right and wrong that prescribe what
18 the professional and practitioner ought to do, usually in terms of rights,
19 obligations, benefits to society, fairness, and specific virtues, and include those
20 that enjoin virtues of honesty, compassion, and loyalty; and
21 "Ethical Standards" means standards relating to rights, such as the right to life,
22 the right to freedom from injury, the right to choose, the right to privacy, and
23 right to freedom of speech and expression.

Short Title

24 . 28. This Bill may be cited as the Chartered Institute of Logistics and
25 Transport (CILT) Nigeria Bill, 2017.

1 SCHEDULES

2 FIRST SCHEDULE

3 (Section I)

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Qualification and tenure of Office of member of the Council*

6 1.-(i) Subject to the provisions of this paragraph, every elected
7 member of the Council shall hold office for a period of two (2) years in the
8 first instance and shall be eligible for re-election for a further term of two
9 years in the same office. He is however eligible for election into a different
10 office at the expiration of the two terms. In the same vein, any appointed
11 member may be reappointed;

12 (ii) Only Fellows of the Institute are eligible to be elected into the
13 office of President, Deputy President and Vice President while the minimum
14 qualifications for other positions shall be Chartered Member;

15 (iii) Any member of the Institute who ceases to be a member
16 thereof shall, if he is also a member of the Council, cease to hold office in the
17 Council;

18 (iv) Any member of the Council may be notice in writing addressed
19 to the President resign as a member of Council;

20 (v) If for any reason there is a vacation of office by a member and
21 such member was elected, the Council may, if the time between the
22 unexpired portion of the term of office and the next meeting of the Institute
23 appears to warrant the filling of the vacancy, co-opt some fit person for such
24 time as aforesaid.

25 *Powers of Council*

26 2.-(1) The Council shall have power to do anything which in its
27 opinion can facilitate the objectives of the Institute.

28 *Proceedings of the Council*

29 3.-(i) Subject to the provision of this Bill, the Council may in the
30 name of the Institute make standing orders regulating the proceedings of the

1 Institute or of the Council, and in the exercise of its powers under this Bill, may
2 set up committees in the general interest of the Institute, and make standing
3 orders thereof;

4 (ii) Standing orders shall provide for decisions to be taken by a
5 majority of the members, and in the event of equality votes, the President or the
6 chairman, as the case may be shall exercise his right of second vote;

7 (iii) Standing orders made for a Committee shall provide that the
8 Committee reports back to the council on any matter not within its competence
9 to decide;

10 (iv) The quorum of the Council shall be one third (1/3) of Council
11 membership and the quorum of a committee of the Council shall be fixed by the
12 Council.

13 *Meeting of the Institute*

14 4.-(i) The Council shall convene the Annual General Meeting (AGM)
15 of the Institute on 30 April in every year or on such other day as the Council
16 may, from time to time, appoint, however not exceeding 30th July of the same
17 year. In addition to 4 (1) above, the Council may convene an extra-ordinary
18 general meeting as the need arises;

19 (ii) The Chairman of the Council shall convene a "Special Meeting"
20 of the Institute if not less than twenty (20) financial members of the Institute
21 requires it and issues a notice in writing to the Registrar of the Institute setting
22 out the objectives of the proposed meeting;

23 (iii) The quorum of any meeting of the Institute shall be Thirty (30)
24 financial members and that of any special meeting of the Institute shall be
25 (Twenty) financial members.

26 *Meeting of the Council*

27 5.-(i) Subject to the provisions of any standing orders of the Council,
28 the Council shall meet whenever it is summoned by the chairman, and if the
29 chairman is required to do so by notice in writing given to him by not less than
30 five council members, he shall summon a meeting of the Council to be held

1 within seven days from the date on which the notice is given;

2 (ii) At any meeting of the Council, the Chairman or in his absence
3 the Vice- Chairman shall preside, but if both are absent, any of the Vice
4 Presidents shall preside and where none is present members present at the
5 meeting shall appoint from amongst them to preside;

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

11 *Committees*

12 1.-(1) There shall be three Committee of the Council each headed
13 by elected Council members; namely:

14 (a) Professional Development Committee (PDC);

15 (b) Communications and Strategy Committee (CSC);

16 (c) Audit and Finance Committee (AFC).

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

20 (3) A committee appointed under this paragraph shall consist of the
21 number of persons determined by the Council and any person other than a
22 member of the Council shall hold office in the committee in accordance with
23 the terms of the instruments by which he is appointed.

24 (4) A decision of a Committee of the Council shall be of no effect
25 until it is confirmed by the Council.

26 SECOND SCHEDULE

27 *(Section XIII)*

28 *Transfer of Property*

29 1.-(1) Every agreement which the former Institute was a party
30 immediately before the commencement of this Bill, whether in writing or

1 not and whether or not of such a nature that the rights, liabilities and obligations
2 thereunder could be assigned by the former Institute, shall, unless its terms or
3 subject matter make it impossible that it should have effect as modified in the
4 manner provided by these subparagraphs, have effect from the commencement
5 of this Bill so far as it relates to assets and liabilities transferred by this Bill to
6 the Institute, as if:

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

8 (b) for any reference (however worded and whether express or
9 implied) to the former Institute, were substituted as respects anything failing to
10 be done on or after the commencement of this Bill as reference to the Institute;
11 and

12 (c) for any reference (however worded and whether express or
13 implied) to a member or members of the Council of the former Institute or an
14 officer of the Institute, that were substituted, as respects anything failing to be
15 done on or after the commencement of this Bill, a reference to a member or
16 members of the Council under this Bill or the officer of the Institute who
17 corresponds as nearly as may be to the member or officer in question of the
18 Institute.

19 (2) Other documents which refer, whether specifically or generally, to
20 the former Institute shall be considered in accordance with subparagraph (1) of
21 this paragraph so far as applicable.

22 (3) Without prejudice to the generality of the foregoing provisions of
23 this Schedule, where, by the operation of section 5 of this Bill, any right,
24 liability or obligation vests in the Institute, the Institute and all other persons
25 shall, as from the commencement of this Bill have the same rights, power and
26 remedies (and, in particular, the same rights as to taking or resisting of legal
27 proceedings or the making or resisting of applications to any authority) for
28 ascertaining, perfecting times been a right, liability or obligation of the
29 Institute.

30 (4) Any legal proceedings or application to any authority pending on

1 the commencement of this Bill by or against the former Institute and relating
2 to property transferred by this Bill to the Institute may be continued on or
3 after that day by or against the Institute.

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

13 *Transfer of functions, etc*

14 2.-(1) At its first meeting, the Council of the Institute shall fix a
15 date, not later than three months after the commencement of this Bill, for the
16 annual general meeting of the Institute.

17 (2) The members of the Council of the former Institute shall be
18 deemed to be the members of Council of the Institute for the unexpired
19 period of their tenure.

20 (3) The members of the former Institute shall, as from the
21 commence of this Act, by registered as members of the Institute; and without
22 prejudice to the generality of the provisions of this Schedule relating to the
23 transfer of property, any person who, immediately before the
24 commencement of this Bill, was a member of the staff of the former Institute
25 shall on that day become the holder of an appointment with the Institute with
26 the status, designation and functions which correspond as nearly as may be
27 to those which appertained to him in his capacity as a member of that staff.

28 (4) Any person being an office holder on or member of, the Council
29 of the former Institute immediately before the commencement of this Bill
30 and deemed under this paragraph to have been appointed to any like position

1 in the Institute, or the Council of the Institute, and thereafter ceasing to hold
2 office otherwise than by reason of his misconduct, shall be eligible for
3 appointment to office in the Institute or to membership of the Council, as the
4 case may be.

5 (5) All regulations, rules and similar instruments made for the
6 purposes of the former Institute and in force immediately before the
7 commencement of this Bill, shall, except in so far as they are subsequently
8 revoked or amended by any authority having power in that behalf, have effect,
9 with any necessary modifications, as if duly made for the corresponding
10 purposes of the Institute.

11 THIRD SCHEDULE

12 *(Section XVI)*

13 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

14 TRIBUNAL AND INVESTIGATION PANEL

15 *The Tribunal*

16 1. The quorum of the Tribunal shall be three members.

17 2.-(1) The Chief Justice of Nigeria shall make rules as to the selection
18 of members of the Tribunal for the purposes of any proceedings and as to the
19 procedure to be followed and the rules of evidence to be observed in
20 proceedings before the Tribunal.

21 (2) The rules shall subject to the provision of Section XV of this Bill,
22 as to the costs of proceedings before the Tribunal; in particular provide:

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

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

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

30 (d) for enabling any party to the proceedings to be represented by a

1 legal practitioner;

2 (e) for requiring in a case where it is alleged that the person who is
3 the subject of the proceedings is guilty of infamous conduct in any
4 professional respect, that where the Tribunal adjudges that the allegation has
5 not been proved it shall record a finding that the person is not guilty of such
6 conduct in respect of the matters to which the allegation relates.

7 (f) for publishing in the Gazette notice of any direction of the
8 Tribunal which has taken effect providing that a person's name shall be
9 struck off a register.

10 (3) For the purposes of any proceedings before the Tribunal, any
11 member of the Tribunal may administer oaths and any party to the
12 proceedings may issue out of the registry of the High Court writs of
13 *subpoena ad testificandum and ducesteum*; but no person appearing before
14 the Tribunal shall be compelled:

15 (a) to make any statement before the Tribunal tending to
16 incriminate himself; or

17 (b) to produce any document under such a writ which he could not
18 be compelled to produce at the trial of an action.

19 3.-(1) For the purpose of advising the Tribunal on questions of law
20 arising in the proceedings before it, there shall in all such proceedings to be
21 assessors to the Tribunal who shall be appointed by the Council on the
22 nomination of the Attorney-General of the Federation and shall be a legal
23 practitioner of not less than seven years' standing.

24 (2) The Attorney-General of the Federation shall make rules as the
25 functions of assessors appointed under this paragraph, and in particular,
26 such rule shall contain provisions for securing:

27 (a) that where an assessor advises the Tribunal on any question of
28 law as to evidence, procedure or any other matters specified by the rules, he
29 shall do so in the presence of every party or person representing a party to the
30 proceedings who appears thereat or, if the advice is tendered while the

1 Tribunal is deliberating in private, that every such party or person as aforesaid
2 shall be informed what advice the assessor has tendered;

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

6 (3) An Assessor may be appointed un this paragraph either generally
7 or for any particular proceedings or class of proceedings and shall hold and
8 vacate office in accordance with the terms of the instrument by which he is
9 appointed.

10 *The Panel*

11 1. The quorum of the Panel shall be three.

12 2.-(1) The Panel may, at any meeting of the Panel attended by the
13 members of the Panel, making standing orders with respect to the Panel.

14 (2) Subject to the provisions of any such standing orders, the Panel
15 may regulate its own proceedings.

16 *Miscellaneous*

17 1.-(1) A person ceasing to be a member of the Tribunal or the Panel
18 shall be eligible for re-appointment as a member of that body.

19 (2) A person may, if otherwise eligible, be a member of both the
20 Tribunal and the Panel; but no person who acted as a member of the Panel with
21 respect to any case shall act as a member of the Tribunal with respect to that
22 case.

23 2. The Tribunal or the Panel may act notwithstanding any vacancy in
24 its membership; and the proceedings of either body shall not be invalidated by
25 any irregularity in the appointment of a member of the that body, or (subject to
26 paragraph 7(2) of this Schedule) by reason of the fact that any person who was
27 not entitled to do so took part in the proceedings of that body.

28 3. Any document authorized or required by virtue of this Act to be
29 served on the Tribunal or the Panel shall be served on the Registrar appointed in
30 pursuance of section 6 of this Bill.

1 4. Any expenses of the Tribunal or the Panel shall be defrayed by
2 the Institute.

3 5. Elections to the Council shall be held in such manner as may be
4 prescribed by the rules made by the Council, and until so prescribed; they
5 shall be decided by a show of hands.

6 6.-(1) The fixing of the seal of the Institute shall be authenticated
7 by the signatories of the President or of some other members of the Council
8 Authorized generally or specially by the Institute to act for that purpose.

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

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

17 (4) The validity of any proceedings of the Institute or the Council
18 or of a committee of the Council shall not be adversely affected by any
19 vacancy in membership, or by any defect in the appointment of a member of
20 the Institute or of the Council or of a person to serve on the committee or by
21 reason that a person not entitled to do so took part in the proceedings.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Logistics and Transport (CILT), Nigeria, charged with the responsibility for amongst other things determined the standards of knowledge, skill and qualification of persons seeking to become registered professionals and practitioners in Logistics and Transport in Nigeria; and for Licensing and regulating the practice of Logistics and Transport in all ramifications.