

CHARTERED INSTITUTE OF ENTREPRENEURS

(ESTABLISHMENT) BILL, 2015

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ENTREPRENEURS (ESTABLISHMENT) BILL, 2015

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A BILL

FOR

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

Sponsored by Senator Ibrahim Gobir

Commencement

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

1 PART I-ESTABLISHMENT OF CHARTERED INSTITUTE OF
2 ENTREPRENEURS

3 1. -(1) There is hereby established a body to be known as
4 Chartered Institute of Entrepreneurs (in this Act referred to as “the
5 Institute”) which:

6 (a) Shall be a body corporate with:

7 (i) Perpetual succession;

8 (ii) A common seal which shall be kept in such custody as the
9 Council direct.

10 (b) May sue and be used in its corporate name; and

11 (c) May acquire, hold, and dispose of any property, moveable or
12 immovable

13 2. -(i) Provision of Technical and professional skills for both
14 emerging and existing entrepreneurs;

The Institute
shall have the
General Duty of:

15 (ii) Breeding better educated, more courageous and vibrant
16 entrepreneurs;

17 (iii) Evolving a reliable databank and information service system
18 for resourceful operation of the small scale enterprises;

19 (iv) Breeding knowledge-driven SME start-ups;

20 (v) Facilitation of stronger cooperation between owner-manager

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

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

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

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

Membership
of the Institute

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

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

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

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

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

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

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

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

3 PART 11- ELECTION OF PRESIDENT AND VICE PRESIDENTS OF

4 CHARTERED INSTITUTE OF ENTREPRENEURS

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

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

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

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

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

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

25 PART 111- GOVERNING COUNCIL OF THE INSTITUTE, ETC

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

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

Establishment of
Governing
Council of the
Institute

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

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

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

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

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

12 6. The Council shall have power to do anything which in its
13 opinion is calculated to facilitate the carrying on of the activities of the
14 Institute.

Power of the
Council

15 PART IV-FINANCIAL PROVISIONS

16 7. -(1) There shall be established for the Institute. A fund which
17 shall be managed and controlled by the Council.

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

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

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

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

26 (a) The remuneration and allowances of the Secretary and other
27 employees of the Institute;

28 (b) Such reasonable traveling and subsistence allowances of
29 members of the Council may determine;

30 (c) Any other expense incurred by the Council in the discharge of

1 its functions under this Bill.

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

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

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

13 PART V - THE EXECUTIVE SECRETARY AND THE REGISTER

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

14 8. -(1) The Council shall appoint a fit proper person to be the
15 Executive Secretary for the purpose of this Act, and such other persons as the
16 Council may from time to time, deem necessary' to assist the Executive
17 Secretary in the performance of his functions under this Act.

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

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

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

25 (a) Director of Corporate Affairs;

26 (b) Director Membership and Marketing;

27 (c) Business Development Manager;

28 (d) Membership and Administration;

29 (e) Information technology.

30 (5) There shall be for the purpose of this Act two registers as follows:

1 (a) The register of members which shall consist of six parts of
2 which:

- 3 (i) The first part shall be in respect of Ordinary Members;
4 (ii) The second part shall be in respect of Student Members;
5 (iii) The third part shall be in respect of Graduate Members;
6 (iv) The fourth part shall be in respect of Associate Members;
7 (v) The fifth part shall be in respect of Members;
8 (vi) The sixth part shall be in respect of fellows.

9 (b) The register of Institutional members.

10 (6) Subject to the provisions of this Act, the Council shall make
11 rules with respect to the form and keeping of registers and the making of
12 entries thereon, and in particular:

13 (a) Regulate the making of applications for enrolment or
14 registration, as the case may be, and providing for the evidence to the
15 produced in support of the application;

16 (b) Provide for the notification to the Registrar, by the person to
17 whom any registered particular relates or any change in those particulars;

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

23 (d) Specify the fees, including any annual subscription, to be paid
24 to the institute in respect of the entry of names on the Register and
25 authorizing the registrar to refuse to enter a name on the Register until such
26 fees specified for the entry has been paid;

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

29 (f) Specify anything failing to be specified under the foregoing
provisions of this section; but rules made for the purpose of paragraph (d) of

1 this sub-section shall not come into force until they are confirmed at a general
2 meeting of the Institute.

3 (7) The Executive Secretary shall:

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

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

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

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

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

24 9. The Executive Secretary shall:

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

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

1 (c) Cause a print of each edition of the register and of each list of the
2 corrections to be deposited at the principal office of the institute;

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

6 PART VI - REGISTRATION OF MEMBERS

7 10.-(1) Subject to subsection (2) of this section a person, other than
8 one whose membership has been suspended by a directive of the
9 Disciplinary Panel shall be entitled to be registered as member in the
10 following categories: Registration of
members

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

15 (b) Student Member, where the person:

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

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

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

22 (c) Graduate member, where the person:

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

26 (ii) Not being a member of the institute has passed the qualifying
27 examination of a recognized Institute of Entrepreneurs in any other country
28 acceptable to the Council;

29 (iii) Has not been elected a fellow or an Associate by a recognized
30 foreign Institute of Entrepreneurs.

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

1 section or direct that application be renewed within such period as may be
2 specified in the direction.

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

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

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

13 11.-(1) The Council may approve any qualification for the purpose
14 of this Bill and may for such purposes approve:

Approval of
qualifications, etc.

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

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

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

27 (a) Give notice that it proposes to do so to each person in Nigeria
28 appearing to the Council to be person by whom the course is conducted or
29 the qualification is granted or the institution is controlled, as the case may
30 be;

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

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

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

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

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

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

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

22 **12. -(1)** It shall be the duty of this Council to keep itself informed of
23 Supervision of the content and methods of:

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

26 (b) The examinations as a result of which approved qualifications are
27 granted and for the purposes of performing that duty the Council may appoint,
28 either from its own members or otherwise, persons to visit approved
29 institutions or observe such examinations.

30 (2) It shall be the duty of a person appointed under subsection (1) of

1 this section to report to the Council on:

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

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

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

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

16 PART VII - PROFESSIONAL DISCIPLINE

17 13. -(1) There shall be constituted a body to be known as the
18 Chartered Institute of Entrepreneurs investigating Committee (in
19 this Act referred to as the Investigating Committee") which shall be charged
20 with the duty to:

Establishment of
Investigation
Panel and
Disciplinary
Tribunal

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

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

27 (2) The Investigating Committee shall be appointed by the Council
28 and shall consist of five members as follows:

29 (a) Two members of the Council, one of whom shall be Chairman
30 of the Committee;

1 (b) Three members of the Institute who are not members of the
2 Council.

3 (3) The tenure of any member of the Investigating Committee shall be
4 two years renewable for a further period of two years.

5 (4) The Council may make rules not inconsistent with this Bill as
6 regard acts, which constitute professional misconduct.

7 (5) The Investigating Committee shall act independently in receiving
8 and investigating allegations under paragraph (a) of subsection (1) of this
9 section and shall have power to receive complaints directly from any
10 individual or organization.

11 (6) There shall be established a Panel to be known as the Chartered
12 Institute of Entrepreneurs (in this Act referred to as "the Disciplinary Panel")
13 which shall be charged with the duty of considering and determining any case
14 referred to it by the Investigating Committee constituted under Subsection (1)
15 of this section.

16 (7) The Disciplinary Panel shall be appointed by the Council and shall
17 consist of two members of the Council, one of whom shall be the Chairman,
18 and three other members of the Institute who are not members of the Council.

19 (8) The Council shall have power to confirm, rescind or amend, as the
20 case may be, any directive to be conveyed by the Disciplinary Panel to any
21 person adjudged by the Panel to be guilty of professional misconduct in
22 accordance with the provisions of section 15 of this Act: Provided that, the
23 Council shall prior to taking any decision on the matter, first give to the person
24 concerned the opportunity of being heard.

25 (9) The provisions of Third Schedule to this Act shall, so far as
26 applicable to the Investigating Committee and Disciplinary Panel respectively,
27 has effect with respect to those bodies.

28 14.-(1) Where:

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

Third Schedule

Penalties for
professional
misconduct

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

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

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

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

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

18 (5) The person to whom such a directive is given under subsection
19 of this section may, at any time within twenty-eight days from the date of
20 service on him of notice of the direction, appeal against the direction to the
21 Federal High Court, and where necessary to the Court of Appeal and the
22 Disciplinary Panel and complainant if any may appear as a respondent to the
23 appeal and for the purpose of enabling directions to be given as to the costs
24 of the appeal and of proceedings before the Federal High Court or Court of
25 Appeal, the Disciplinary Panel and complainant shall be deemed to be a
26 party thereto, whether or not it appears on the hearing of the appeal.

27 (6) A direction of the Disciplinary Panel given under subsection (1)
28 of this section shall take effect where:

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

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

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

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

14 PART VIII - MISCELLANEOUS

Application of
this Act to
unregistered
persons

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

Practice as a
Professional
Entrepreneurs

22 16.-(1) Subject to subsection (2) of this section, a person shall be
23 deemed to practice as a professional Entrepreneur if in
24 consideration of remuneration received or to be received and whereby himself
25 or in partnership with any other persons he:

26 (a) Engages himself in the practice of professional Entrepreneurs or
27 holds himself out to the public as professional Entrepreneur

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

30 (c) Renders any other service which may, by regulations made by the

1 Council, be designated as service constituting practice as a professional
2 Entrepreneurs.

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

6 17.-(1) The Council may make rules to guide training in professional Entrepreneurship methods and practice.

Rules as to
practice, etc.

7 (2) The Council may also make rules:

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

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

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

16 (d) Restricting the right to practice as a member of the profession if
17 the qualification granted outside Nigeria does not entitle the holder to
18 practice as a member of the profession;

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

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

24 18. The Institutes hall:

25 (a) Provide and maintain a library comprising of books and
26 publications for the advancement of the knowledge of professional
27 Entrepreneurs and such other books, publications and internet
28 communication technology media as may be considered necessary;

Provision of
Library facilities,
etc.

29 (b) Encourage research into Professional Entrepreneurship
30

Offences and
Penalties

1 methods and allied subjects, to the extent that the Council may, from time to
2 time, consider necessary.

3 19.-(1) A person who, for the purpose of procuring (the registration of
4 any name, qualification or other matter:

5 (a) Makes a statement which he believes to be false in any material
6 particular;

7 (b) Recklessly makes a statement which is false in any material
8 particular; commits an offence.

9 (2) If on or after the coming into force of this Act, a person who is not
10 member of the Institute practices or holds himself out as a Professional
11 Entrepreneurs for, or in expectation of reward or takes or uses any name, title,
12 addition or description, implying that he is in practice as a Professional
13 Entrepreneurs, commits an offence.

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

15 (a) The provision of subsection (2) of this section shall not apply in
16 respect of anything done by him during the period of three months;

17 (b) If within that period he duly applies for membership of the
18 Institute then unless within that period he is notified that his application has not
19 been approved, the provision of subsection (2) of this section shall not apply in
20 respect of anything done by him between the end of that period and the date on
21 which he is enrolled, or registered or notified as aforesaid.

22 (4) The Executive Secretary or any other person employed by or on
23 behalf of the Institute who willfully makes any falsification in any matter
24 relating to the register, commit an offence.

25 (5) A person who commits an offence under this section shall be liable
26 on conviction to a minimum fine of One Hundred thousand naira (N100,
27 000.00); or imprisonment for a maximum term of two years, or to both such
28 fine and imprisonment.

29 (6) Where an offence under this section which has been committed by
30 a body corporate is proved to have been committed with the consent or

1 connivance of or be attributable to any neglect on the part of any director,
2 manager, secretary or other similar officer of the body corporate, or any
3 person purporting to act in any such capacity, he, as well as the body
4 corporate shall be deemed to have committed the offence and shall be liable
5 on conviction by court of competent jurisdiction in the case of an individual
6 to the punishment prescribed in subsection 5 of this section and in the case of
7 a body corporate, to a fine of not less than N500,000 (five hundred thousand
8 naira) and or a ban on practice of share registration for a specific period of
9 time not less than one year.

10 20.-(1) Any regulations, made pursuant to this Act shall be
11 published in the Institute's Journal.

Regulations

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

15 21.-(1) As from the commencement of this Act:

Transfer to the
Institute of
certain properties

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

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

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

24 (2) The provisions of Second Schedule to this Act shall have effect
25 with respect to matters arising from the transfer of assets and liabilities of the
26 Incorporated to the institute and with respect to other matters mentioned in
27 that schedule.

Second Schedule

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

Interpretation

29 "Professional Entrepreneurs "means any person registered to practice
30 Professional Entrepreneurship under this Act;

1 "Council" means the Council established as the governing body of the Institute
2 under section 1, of this Act;

3 "Disciplinary Panel" means Chartered Institute of Entrepreneurs Disciplinary
4 Panel established under subsection (2) of section H. of this Act;

5 "Fees" includes annual subscription, examination, annual conference, and
6 specialized trainings fees;

7 "Institute" means Chartered Institute of Entrepreneurs established under
8 section 1 of the Bill;

9 "Investigation Committee" means the Chartered Institute of Entrepreneurs
10 Investigating Committee established under subsection (3) of section 14 of this
11 Act;

12 "Members" means enrolled Fellow, Member, Associate Member, Graduate
13 Member, Student Member or Ordinary Member as the case may be, and
14 "membership of "the Institute" shall be construed accordingly;

15 "Minister means the Minister for Education;

16 "President" and "Vice-President" respectively means the holder of offices
17 under those names in the Institute;

18 "Register means the register maintained pursuant to section B of this Act.

Short Title

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

1 SCHEDULE'S

2 FIRST SCHEDULE

3 *Section 4(3)*

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 1.-(1) Subject to the provisions of this Act, the Council may in the
6 name of the Institute make Standing orders, regulating its proceedings or
7 proceedings of any Committee of Councilor, the institute thereof, excepting
8 rules of the Investigation committee of Disciplinary Panel.

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

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

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

19 2.-(1) The Council shall convene the annual general meeting of the
20 Institute once a year at such time and place as may be determined by the
21 Council, but, if the meeting is not held within one year after the previous
22 annual general meeting, not more than fifteen months shall elapse between
23 the respective dates of the two meetings; Provided that, notice of the annual
24 general meeting shall be given to all members of the Institute not later than
25 twenty-one days from the date of the meeting.

26 (2) A special general meeting of the Institute may be convened by
27 the Council at anytime if, not less than thirty members of the Institute so
28 require, by notice in writing addressed to the President of the Council setting
29 out the objects of the proposed meeting, the President of the Council shall
30 convene a special general meeting of the Institute; Provided that, notice of

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

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

5 *Meeting of the Council*

6 3. -(1) Subject to the provisions of any standing orders of the Council,
7 the Council shall meet quarterly in a year.

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

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

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

21 *Committees*

22 4.-(1) The Council may appoint one or more Committees to carry out
23 on behalf of the Institute or the Council, such functions as the Council may
24 determine.

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

30 (3) A decision of a Committee of the Council shall be of no effect until

1 it is confirmed by the Council, except the council otherwise authorizes.

2 *Miscellaneous*

3 5-(1) The fixing of the seal of the Institute shall be authenticated
4 by the signature of the President or of some other members of the Council
5 authorized generally or specifically by the Institute to act for that purpose.

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

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

14 *Validity of Proceedings*

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

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

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

1

SECOND SCHEDULE

2

Section 22(2)

3

TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC.

4

Transfer of Properties

5

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

11

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

12

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

16

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

21

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

24

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

27

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

30

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

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

6 THIRD SCHEDULE

7 *Section 22(2)*

8 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

9 TRIBUNAL AND INVESTIGATING PANEL

10 *The Disciplinary Committee*

- 11 1. The quorum of the Disciplinary Panel shall be four members.
- 12 2.-(1) The Attorney-General of the Federation shall make rules as
13 to the selection of members of the Disciplinary Panel for the purpose or any
14 proceedings, the procedure to be followed and the rules of evidence to be
15 observed in the proceedings before the Disciplinary Panel.
- 16 (2) The rules shall in particular provide:
- 17 (a) For securing that any party to the proceedings shall be entitled
18 to be heard and given fair opportunity to defend the allegations against him
19 either by the Disciplinary Panel;
- 20 (b) For determining who, in addition to the person aforesaid, shall
21 be a party to the proceedings;
- 22 (c) For securing that any party to the proceedings shall, if he so
23 requires, be entitled to be heard by the Disciplinary Panel;
- 24 (d) For securing that any party to the proceedings may be
25 represented by a legal practitioner;
- 26 (e) Subject to the provision of section 13(6) of this Act, as to the
27 cost of proceedings before the Disciplinary Panel;
- 28 (f) For requiring, in a case where it is alleged that the person who is
29 the subject of the proceedings is guilty of misconduct in any professional
30 respect, that where the Disciplinary Panel adjudges that the allegation has

1 been proved it shall record a finding that the person is guilty of such
2 misconduct in respect of the matters to which the allegation relates;

3 (g) Requiring that the Executive Secretary shall publish and carry out
4 decisions and directions of the Disciplinary Panel which has taken effect
5 including striking out a person's name off the register.

6 3. For the purposes of any proceeding before the Disciplinary Panel,
7 any member of the Disciplinary Panel may administer Oaths, and any party to
8 the proceedings may issue out of the registry of (the Federal High Court by writs
9 of subpoena *ad testificandum and duces tecum* but no person appearing before
10 the Disciplinary Panel shall be compelled:

11 (a) To make any statement before the Disciplinary Panel tending to
12 incriminate himself;

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

15 *Assessor*

16 2.-(1) For the purpose of advising the Disciplinary Panel on questions
17 of law, arising in proceedings before it, there shall in all such proceedings be an
18 assessor to the Disciplinary Panel who shall be appointed by the Council on the
19 nomination of the Attorney-General of the Federation, and he shall be a legal
20 practitioner of not less than ten years standing.

21 (2) The Attorney-General of the Federation shall make rules as to the
22 functions of the assessor appointed under this paragraph and in particular such
23 rules shall contain provisions for securing:

24 (a) That where an assessor advises the Disciplinary Panel on any
25 question of law as to evidence, procedure or any other matter specified by the
26 rules, he shall do so in the presence, of every party or a person representing a
27 party to the proceeding, who appear thereat or, if the advice is tendered while
28 the Disciplinary Panel is deliberating in private that every such party or person
29 as aforesaid shall be informed of what advice the assessor has given, with, any
30 opportunity to respond to it;

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

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

8 *The Investigating Panel*

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

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

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

15 *Miscellaneous*

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

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

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

1 die proceedings of that body.

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

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

EXPLANATORY MEMORANDUM

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

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