

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL POSTGRADUATE COLLEGE OF  
PHYSIOTHERAPY TO BE CHARGED WITH THE RESPONSIBILITY OF  
PROMOTING PROFESSIONAL PHYSIOTHERAPY EDUCATION, PROVIDING  
SPECIALIST IN PHYSIOTHERAPY WITH CRITICAL THINKING AND CREATIVE  
PROBLEM SOLVING SKILLS, AND PREPARE KNOWLEDGEABLE, SKILLED,  
CULTURALLY COMPETENT, COMPASSIONATE AND REFLECTIVE  
PHYSIOTHERAPY PRACTITIONERS IN THE STUDY AND PRACTICE OF  
PHYSIOTHERAPY IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Senator Samuel N. Anyanwu*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of  
Nigeria-

1 PART I - ESTABLISHMENT OF THE COLLEGE AND THE COUNCIL

2 1.-(1) There is established a body to be known as National Establishment of  
3 Postgraduate College of Physiotherapy (in this Bill referred to as "the the College  
4 College").

5 (2) The College-

6 (a) shall be a body Corporate with perpetual succession and a  
7 common seal and may sue and be sued in its corporate name; and

8 (b) may acquire, hold, mortgage, purchase and deal howsoever  
9 with property, whether movable or immovable, real or personal.

10 2.-(1) There is established for the management of the affairs of the Establishment  
11 College a Governing Council (in this Bill referred to as "the Council"). and Composition  
of Governing  
Council

12 (2) The Council shall consist of-

13 (a) a President, who shall be a member of National Postgraduate  
14 College of Physiotherapy of Nigeria;

15 (b) 3 College Vice Presidents;

1 (c) 2 representatives of Medical Rehabilitation Therapist  
2 (Registration,) Board of Nigeria;

3 (d) representatives of-

4 (i) Ministry in charge of Health, not below the rank of a Deputy  
5 Director, to be appointed by the Minister,

6 (ii) Ministry in charge of Education, not below the rank of a Deputy  
7 Director, to be appointed by the Minister,

8 (iii) of public Universities, offering Physiotherapy on rotational  
9 basis; and

10 (iv) 6 public University Teaching Hospital, with department of  
11 Physiotherapy from 6 geopolitical zones, on rotational basis, to be appointed  
12 by the Council.

13 (e) Registrar to serve as Secretary to the Council.

14 (3) The President of the College shall be appointed by professional  
15 members of the College at a general meeting.

16 (4) The supplementary provision set out in the first schedule to this  
17 Bill shall have effect with respect to the proceeding of the Council and other  
18 related matters.

19 (5) The President of the Council shall hold office for five years  
20 renewable for further term of five years and no more, while other members of  
21 the Council shall hold office for four years renewable for further term of four  
22 years and no more.

23 (6) The members of the Governing Council shall be paid such  
24 remunerations and allowances as the College may determine, subject to  
25 availability of funds.

Resignation,  
cessation or removal  
of members of  
the council

26 3.-(1) The members of the Governing Council may resign their  
27 appointments by notice in writing addressed to the-

28 (i) in the case of the President, to the Governing Council, and

29 (ii) in the case of other members, to the President.

1 (2) Members of the Council mentioned may cease membership, if a  
2 member-  
3 (a) dies or becomes of unsound mind;  
4 (b) becomes bankrupt;  
5 (c) is convicted of a felony or of any offence involving dishonesty;  
6 (d) is guilty of serious misconduct in relation to the office; or  
7 (e) in the member is disqualified or suspended from practicing the  
8 profession.

9 (3) A member of the Council may be removed, at any time, from  
10 office by the President on the recommendation of the Council, if the  
11 President is satisfied that it is not in the interest of the College or the public  
12 that the member should continue to hold office.

13 (4) Where vacancy exists in the membership of the Council the  
14 vacancy shall be filled by appointing a person representing the area where  
15 the vacancy exists, to complete the remainder of the term of office of the  
16 predecessor and shall be eligible for renewal, subject satisfactory  
17 performance.

18 4. A person shall be qualified for office of the President of the  
19 College if the person-

Qualification of  
the President

20 (a) is a Nigerian, or resident in Nigeria;  
21 (b) has passed all the necessary examinations set by the College;  
22 (c) is a fellow of the College;  
23 (d) has the basic educational qualification, to be provided by the  
24 College, or its equivalent;  
25 (e) has paid all his dues for the period under consideration, and  
26 (f) has not been adjudged to be lunatic or declared to be of unsound  
27 mind or adjudged or declared as bankrupt by a court of law.

28 5. The objectives of the College is to-

Objectives of the  
College

29 (a) promote post-professional physiotherapy education in  
30 challenging and supportive environment;

1 (b) provide well educated physiotherapy specialist with critical  
2 thinking and creative problem solving skills; and

3 (c) prepare knowledgeable, skilled, culturally competent,  
4 compassionate and reflective specialist physiotherapy practitioners;

5 (d) collaborate with individuals, organizations, and agencies whose  
6 interest is in building the human capacity of Nigeria's physiotherapy sector  
7 with the aim of developing professional and technical know-how and  
8 improving productivity;

9 (e) promote high level of ethical standards in the practice of  
10 physiotherapy and skills that shall be attained by persons seeking to qualify as  
11 physiotherapist;

12 (f) ensure that its members maintain reputable and high standard of  
13 conducts expected of any professional practice;

14 (g) provide for the training and examination of persons desiring to  
15 become members of the College and to promote and protect the interests of its  
16 Members;

17 (h) arrange conferences, seminars, symposia and meetings for  
18 discussions on practices related to the profession;

19 (I) ensure the establishment and maintenance of a register of fellows,  
20 certified, associates, graduate, student, corporate and affiliate members of the  
21 College as well as the publication of their lists from time to time;

22 (j) establish a library that will enhance the study of physiotherapy in  
23 Nigeria and beyond; and

24 (k) perform such functions as are incidental to the objects or as the  
25 Council may deem necessary for the attainment of all or any of its functions  
26 under this Bill.

Functions of  
the Council

27 6, The Council shall be responsible for-

28 (a) determining the general policy and administration of the College;

29 (b) preparation of annual and long term strategic development plan of  
30 the College;



- 1 (c) approving the training that will lead to certification of the  
2 Physiotherapist as member of the College;  
3 (d) maintaining register of members of the College;  
4 (e) approving projects and programmes of the College; and  
5 (f) carrying out such other activities that are incidental to the  
6 attainment of its objectives under this Bill.

7 PART II - STAFF OF THE COLLEGE

8 7.-(1) There shall be appointed a Registrar for the College by the  
9 Council, a fit and proper person who shall be the chief executive officer of  
10 the College, and such other persons as the Council may, from time to time  
11 think necessary to assist the Registrar in the performance of his function  
12 under this Bill.

Appointment of  
Registrar and  
other staff of the  
College

13 (2) The Registrar shall hold office for the term of five years, and,  
14 subject to satisfactory performance, be eligible for re-appointment for  
15 further term of five years and no more.

16 (3) The Registrar shall be reporting to the Council, and shall  
17 receive such salary and allowances as approved by the Council.

18 (4) A person shall be qualified to be appointed as Registrar of the  
19 College if the Person-

- 20 (a) is a fellow of the College;  
21 (b) is a citizen of Nigeria;  
22 (c) possesses relevant qualification from a recognized institution  
23 of higher learning; and  
24 (d) has at least 20 years cognate experience in relevant institution.

25 (5) The Council shall appoint management staff for the College,  
26 while other staff of the College shall be appointed by the Management  
27 Committee of the College established under clause 11 of this Bill, in line  
28 with existing staff regulation issued by the Council.

29 8. The Registrar shall-

- 30 (a) abide by the duties assigned to the office in the letter of

Duties of the  
Registrar

- 1 appointment;
- 2 (b) superintend the affairs of the College;
- 3 (c) serve as the Secretary of the Council;
- 4 (d) prepare and maintain a register of the names, addresses,
- 5 qualifications, and such other particulars as may be specified in the rules of the
- 6 College;
- 7 (e) correct, in accordance with the Council's directions, any entry in
- 8 the register;
- 9 (f) make, from time to time, any necessary alteration to the registered
- 10 persons;
- 11 (g) remove from the register the name of any registered person who
- 12 has died;
- 13 (h) record the names of the members of the College who are in default
- 14 for more than six months in the payment of annual subscriptions, and to take
- 15 such action in relation to removal of the names of defaulters from the register;
- 16 (i) cause the register to be printed, published and put on sale to
- 17 members of the public not later than two years from the commencement of this
- 18 Bill;
- 19 (j) cause a print of each edition of the register and of each list of
- 20 corrections to be deposited at the principal offices of the College; and
- 21 (k) any other duty to be assigned by the Council.

## Regulation

- 22 9.-(1) The Council may subject to the provision of this Bill, make
- 23 regulation-
- 24 (a) relating to the mode of appointing the President of the College;
- 25 (b) determining the procedure of becoming a member of the College;
- 26 (c) for disciplinary procedure for members of the College; and
- 27 (d) for appointment, promotion and discipline of staff of the College.
- 28 (2) Regulation made by the Council shall be subject to confirmation
- 29 by the members at its next general meetings or special meeting convened for
- 30 that purpose.

## 1 PART III - STRUCTURES OF THE COLLEGE

2 10.-(1) There is established for the College such number of Department,  
3 Faculties, Departments, Divisions, and Units as determined by the Council. division and units  
of the College

4 (2) Each Faculty shall be headed by a Dean who shall be  
5 professionally qualified person appointed through competitive process by  
6 the Council.

7 11.-(1) There is established for the College, a Management Management  
8 Committee comprising all the Deans of Faculties and the Registrar of the committee of the  
9 College. College

10 (2) The Registrar of the College shall be the chairperson of the  
11 Committee and Deputy Registrar in charge of human capital shall be the  
12 Secretary of the Committee.

13 (3) The Management Committee shall be responsible for the  
14 general administration of the College, particularly, in recruitment,  
15 promotion, and discipline of members of staff of the College.

## 16 PART IV - REGISTRATION OF MEMBERS OF THE COLLEGE

17 12.-(1) A person shall be entitled to be registered as a member of Registration of  
18 the College if he satisfies the Council that- members

19 (a) before the commencement of this Bill, he holds a qualification  
20 approved for members of the College and has the prescribed post  
21 qualification experience;

22 (b) he is by law entitled to practice for all purposes as a professional  
23 physiotherapist in the country in which the qualification was granted; and

24 (c) he holds at least one of the qualifications prescribed for the  
25 purposes of registration and has complied with the other requirements  
26 prescribed under regulation issued to, pursuant to this Bill.

27 (2) An applicant for registration under this Bill shall, in addition to  
28 evidence of qualification, satisfy the council that-

29 (a) is of good character;

30 (b) has attained the age of 25 years;

1 (c) has not been convicted by any court or tribunal in Nigeria or  
2 elsewhere for an offence involving fraud or dishonesty; and

3 (d) the had been sponsored by at least two members of the College.

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

8 (4) The Council shall from time to time, publish in the Federal  
9 Government Gazette, the Colleges newsletter, and on their notice Council,  
10 particulars of qualification for the time being accepted for registration under  
11 this Bill.

12 (5) A person shall not be entitled to be appointed or engaged to head  
13 any physiotherapy unit or department of any organization unless he is-

14 (a) duly registered as a member of the College; or

15 (b) qualified by examination.

16 (6) The Council may approve qualification for the purpose of this Bill  
17 if the-

18 (a) course of training of any approved Institution which is intended  
19 for persons who are seeking to become or are already physiotherapist and  
20 which the Council considers relevant to confer on applicant sufficient  
21 knowledge and skill for admission into the College; and

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

28 PART V - MEMBERSHIP OF THE COLLEGE

Membership  
of the College

29 13.-(1) Subject to the provisions of this Bill, a person or body admitted  
30 into the College shall possess adequate knowledge of physiotherapy perations



1 operations and management and be registered as a professional member'  
2 under paragraphs (a), (b), (c), (d), and (f) and as an ordinary member as  
3 provided under paragraphs (e), (g), and (h), the categories are-

- 4 (a) Fellow;  
5 (b) Certified;  
6 (c) Associate Member;  
7 (d) Graduate Member;  
8 (e) Student Member;  
9 (f) Corporate/Affiliate Member;  
10 (g) Honorary Fellow; and  
11 (h) Honorary Member.

12 (2) The categories listed in sub-clause (1) of this Clause and the Second Schedule  
13 qualifications for its award are as stipulated in the second schedule to this  
14 Bill.

15 14. The College shall conduct exams for all the stages at least twice Conduct of  
16 in a year, students can participate in the two diets in a given year provided Examinations  
17 that the students have passed all the papers in a particular diet.

18 PART VI - FINANCIAL PROVISIONS

19 15.-(1) The Council shall establish and maintain a Fund for the Funds of the  
20 purpose of this Bill. College

21 (2) There shall be paid into the Fund of the College-

22 (a) all fees and other moneys payable to the College in pursuance of  
23 this Bill;

24 (b) such moneys as may be payable to the College whether in the  
25 course of the discharging its functions under this Bill or not; and

26 (c) grants and donations from donor agencies.

27 (3) There shall be paid out of the Fund of the College established  
28 pursuant to sub-clause (1) of this clause-

29 (a) the salaries, remuneration and allowance of the Members of the  
30 Council, Registrar and other employees of the College;

|   |    |   |
|---|----|---|
|   | 1  | (b) such reasonable travelling and subsistence allowance of members               |
|   | 2  | of the Council as the Council may approve; and                                    |
|   | 3  | (c) any other expenses approved by the Council in the discharge of its            |
|   | 4  | functions under this Bill.  |
| Power to invest                         | 5  | 16. The Council may invest moneys of the College in any security                  |
|   | 6  | created or issued by or on behalf of the Federal Government or in any other       |
|   | 7  | securities in Nigeria approved by the Council.                                    |
| Power to borrow money                   | 8  | 17. The Council may, from time to time, borrow money for the                      |
|   | 9  | purposes of the College and any interest payable on the moneys so borrowed        |
|   | 10 | shall be paid out of the Fund.  |
| Bank account of the College             | 11 | 18. All monies belonging to the College shall be kept in its corporate            |
|   | 12 | name or as may be determine by the Council.                                       |
| Accounts and auditing                   | 13 | 19.-(1) The Council shall keep proper accounts on behalf of the                   |
|   | 14 | College in respect of each year and proper records in relation to those accounts. |
|   | 15 | (2) The Council shall cause its accounts to be audited at the end of              |
|   | 16 | each year and shall be submitted to the members of the College for approval at    |
|   | 17 | its general meeting.  |
|   | 18 | PART VII - DISCIPLINARY COMMITTEE   |
| Establishment of Disciplinary Committee | 19 | 20.-(1) There is establish a body to be known as National                         |
|   | 20 | postgraduate College of Physiotherapy Disciplinary Committee (in this Bill        |
|   | 21 | refer to as "Disciplinary Committee") which shall be charged with the             |
|   | 22 | responsibility of considering and determining any case referred to it by the      |
|   | 23 | Investigating Panel established under sub-clause (3) of this clause, and any      |
|   | 24 | other case which the Committee takes cognizance of under this Bill.               |
|   | 25 | (2) The Disciplinary Committee shall consist of the Chairman and six              |
|   | 26 | other members to be appointed by the Council, from among the fellows of the       |
|   | 27 | College.  |
|   | 28 | (3) There is established for the College, National postgraduate                   |
|   | 29 | College of Physiotherapy Investigating Panel (in the Bill referred to "the        |
|   | 30 | Panel") to be charged with the responsibilities of-                               |

1 (a) conducting a preliminary investigation into any case wherein it  
 2 is alleged that a member has committed an act of professional misconduct,  
 3 or should for any other reason be the subject of proceedings before the  
 4 Committee; and

5 (b) deciding whether the case shall be referred to the Disciplinary  
 6 Committee after affording such a member an opportunity of being heard  
 7 either personally or through a legal practitioner of his own choice.

8 (4) The Council may appoint members of the Panel established  
 9 under sub-clause (3) of this clause, from the members of the Council and the  
 10 fellows of the College.

11 **21.-(1) Where-**

12 (a) a person registered under this Bill is found to be guilty by the  
 13 Disciplinary committee of infamous conduct in any professional respect;

14 (b) a person is convicted of an offence, by any court or tribunal in  
 15 Nigeria or elsewhere having power for imprisonment, which in the opinion  
 16 of the Disciplinary committee is incompatible with the status of a member of  
 17 the profession; or

18 (c) the Disciplinary committee is satisfied that the name of any  
 19 person has been fraudulently registered, the Disciplinary committee may, if  
 20 it thinks fit, summon the person and hear his defence before giving direction  
 21 reprimanding that person or ordering the Registrar to strike out the name of  
 22 the person off the register.

23 **22. A person who has a cause of action against the College must-**

24 \* (a) give the College three months notice, in writing, of intention to  
 25 commence an action, disclosing the cause of action and served the processes  
 26 to the principal office of the College; and

27 (b) commence the legal action within two years from the date the  
 28 cause of action arose.

29 (2) For the purposes of sub-clause (1) (b) of this clause, a person  
 30 shall not be treated as convicted, unless the conviction stands at a time when

Penalties for  
unprofessional  
conduct

Procedure and  
limitation of suit  
against the College

1 no appeal or further appeal is pending or may be brought in connection with the  
2 conviction.

3 (3) When the Disciplinary committee gives a direction under sub-  
4 clause (1) of this clause, the Disciplinary committee shall cause notice of the  
5 direction to be served on the person to whom it relates.

6 (4) A person whom the notice relate may appeal to the Council within  
7 28 days upon the received of the notice and the Council may give another  
8 direction or confirmed the direction of Disciplinary committee.

9 (5) A person whose name is struck off the register in pursuance of a  
10 direction shall not be entitled to use the initial used by the members.

11 PART VIII - MISCELLANEOUS.

Interpretation

12 23. In this Bill-

13 "Council" means the Council established to govern the College;

14 "fees" includes annual subscription;

15 "member of the College" means registered member of the College;

16 "Minister" means the Minister charged with the responsibility of Health;

Citation

17 24. This Bill may be cited as the Postgraduate Physiotherapy College  
18 of Nigeria [Establishment] Bill, 2016.

19 FIRST SCHEDULE

20 *Clause 2(4)*

21 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

22 PART I - PROCEEDINGS OF THE COUNCIL

23 1.-(1) Subject to the provisions of this Bill and other applicable laws,  
24 the Council may make standing orders regulating its proceedings.

25 (2) The Council shall meet whenever summoned by the President, or  
26 if required to do so, by at least 8 members of the Council and shall meet for a  
27 minimum of 4 times in a year.

28 (3) The President shall preside over the meetings of the Council and in  
29 his absence, the members of the Council shall appoint one person, from among  
30 themselves, to act as the President for that meeting.



1 (4) The quorum of the Council shall be 10 members of the Council  
2 sitting in their personal capacity, and the quorum of the any committee shall  
3 be determine by the Council.

4 (5) The quorum for the general meeting of the College shall be 30  
5 registered members or as the Council may determine.

6 PART II - COMMITTEES

7 2.-(1) The Council may appoint committees or sub-committees to  
8 carry out, on its behalf, such functions that the Council shall legitimately  
9 carryout.

10 (2) The decision of the Committees or sub-committee appointed  
11 under paragraph 2(1) shall have no effect until it is approved by the Main  
12 Committee or the Council.

13 PART III - MISCELLANEOUS

14 3.-(1) The Secretary of the Council shall be the custodian of the  
15 seal of the College.

16 (2) Fixing of the common seal of the Council shall be authenticated  
17 by the signature of the President of the College or some other persons  
18 authorized to do so.

19 (3) Any contract or instrument, which if made or executed by a  
20 person not being a body corporate, shall not be required to be made under  
21 seal, shall be executed on behalf of the Council by the President of the  
22 College or any other person authorized to do so.

23 (4) Where the Council desires to obtain an expert opinion from a  
24 person not being a member of the Council, the Council may co-opt such  
25 person for such period the Council may determine, but the co-opted person  
26 shall not have the right to vote or to count in forming a quorum.

27 (5) The validity of any proceeding of the Council or of a committee  
28 shall not be adversely affected by any vacancy in the membership of the  
29 Council or Committee or by any defect in the appointment of a member of  
30 the Council.

1           (6) Any member of the Council or the College holding office in a  
2 committee, who has a personal interest in any contract or arrangement entered  
3 into or proposing to be entered into, to be considered by the Council or a  
4 Committee thereof, shall forthwith disclose his interest to the President of the  
5 Council and shall not vote or take part in the proceedings or raise any question  
6 relating to the contract or agreement.

## SECOND SCHEDULE

*Clause 13(2)*

## QUALIFICATIONS FOR THE MEMBERSHIP OF THE COLLEGE

10 A person shall be accorded with the status of a member by the Council and to be  
11 enrolled as-

(1) Fellows of the College-

13 (a) Physiotherapists who shall have passed the examinations laid  
14 down by the Council for these purposes;

(b) Physiotherapists whose published work or whose attainments in physiotherapy shall in the opinion of the Council justify admission to Fellowship either without examination (by election) or subject only to limited examination pursuant to the Bye-laws.

(2) Foundation Fellows of the College-

20 These are persons who were elected Fellows in accordance with sub-clause  
21 (1)(b) above on or before the first Examination.

**(3) Honorary Fellows of the College-**

(a) Physiotherapists who have made notable contributions to physiotherapy and are renowned in their areas of physiotherapy practice. There shall not be more than a specified number of Honorary Fellows at any one time as determined by Council.

(b) Individuals who are not Physiotherapists but have made notable contributions to physiotherapy. There shall not be more than a specified number of Honorary Fellows at any one time as determined by Council.

(4) Distinguished Fellows of the College-

1 Fellows of the College who have distinguished themselves in their various  
2 specialties and have contributed immensely to the development of the  
3 College and the Country.

4 (5) Life Fellows of the College-

5 These are Fellows in accordance with sub-clause (2) above who have been  
6 in good standing for at least 5 years as Fellows and in addition meet the  
7 financial prescription for Life Fellowship.

8 (6) Associate Fellows of the College-

9 (a) Associate Fellows by Examination - consists of Trainees who  
10 have passed the primary examinations of any of the Faculties and have been  
11 in an accredited training post for not less than 6 months

12 (b) Associate Fellows by Exemption - These are physiotherapists  
13 with qualifications assessed to be equivalent to Part I Examination of the  
14 College Fellowship following recommendation of the Faculty concerned  
15 and approval by the Council.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish National Postgraduate College of Physiotherapy to be charged with the responsibility of promoting professional physiotherapy education, providing specialist in physiotherapy with critical thinking and creative problem solving skills, and prepare knowledgeable, skilled, culturally competent, compassionate and reflective physiotherapy practitioners in the study and practice of physiotherapy in Nigeria.

