

A BILL

FOR

AN ACT TO ESTABLISH THE ANIMAL HEALTH HUSBANDRY TECHNOLOGISTS REGISTRATION BOARD OF NIGERIA TO REGULATE THE PRACTICE OF ANIMAL HEALTH AND HUSBANDRY TECHNOLOGISTS IN NIGERIA; AND FOR RELATED MATTERS, 2018

Sponsored by Senator Ahmad Lawan

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE ANIMAL HEALTH AND HUSBANDRY

2 TECHNOLOGISTS REGISTRATION BOARD OF NIGERIA

3 1.-(1)There is established the Animal Health and Husbandry
4 Technologists Registration Board of Nigeria (in this Act referred to as "the
5 Board").

Establishment of the Animal Health and Husbandry Technologists Registration Board of Nigeria

6 (2)The Board-

7 (a) shall be a body corporate with perpetual succession and a
8 common seal;

9 (b) may sue and be sued in its corporate name; and

10 (c) may acquire, hold and dispose of movable and immovable
11 property.

12 2.-(1) The Board shall consist of-

Membership of the Board

13 (a) a chairman who shall be an animal health and husbandry technologist
14 and has been so qualified for not less than 12 years;

15 (b) a vice chairman, who shall have the same qualification as the
16 chairman;

17 (c) two animal health and husbandry technologists to represent the
18 Nigeria Association of Animal Health and Husbandry Technologists;

19 (d) six technologists to represent the States on rotation for three

1 years at a time;

2 (e) one representative from the Federal Ministry of Agriculture who
3 shall be an animal health technologist; and

4 (f) two technologists to represent schools involved in training
5 members of the profession on rotation for three years at a time.

6 (2) All appointments in this section shall be made by the Minister on
7 the recommendation of the appropriate bodies.

First Schedule

8 (3) The provisions of the First Schedule to this Act shall have effect
9 with respect to the matters mentioned in the Schedule.

Functions of
the Board

10 3. The Board shall-

11 (a) determine what standards of knowledge and skill are to be attained
12 by persons seeking to become members of the profession and to improve those
13 standards from time to time as circumstances may permit;

14 (b) secure in accordance with the provisions of this Act, the
15 establishment and maintenance of a register of persons registered under this
16 Act as members of the profession and the publication from time to time of lists
17 of those persons;

18 (c) conduct examinations in the profession and awarding certificates
19 or diploma to successful candidates as appropriate; and for such purpose, the
20 Board shall prescribe fees to be paid in that respect; and

21 (d) perform any other functions conferred on the Board by this Act.

Powers of the
Board

22 4.-(1) Subject to subsection (2) of this section and to any direction of
23 the Minister under this Act, the Board shall have powers to do anything which
24 in its opinion is calculated to facilitate the carrying out of its activities under
25 this Act.

26 (2) The Board-

27 (a) may borrow or dispose of any property with the prior consent of
28 the Minister; and

29 (b) shall pay remuneration (including pensions), allowances or
30 expenses to employees of the Board or any other person in accordance with the

1 scales that obtain in the Federal Public Service.

2 5.-(1) There is establish a Fund for the Board.

Establishment
of a Fund of the
Board

3 (2) The Fund of the Board shall consist of-

4 (a) all fees and other money payable to the Board under this Act;

5 and

6 (b) such money as may be payable to the Board in the course of the
7 performance of its functions.

8 (3) There shall be paid out of the Fund of the Board-

9 (a) the remuneration and allowances of the Registrar and other
10 employees of the Board;

11 (b) such reasonable traveling and subsistence allowances of
12 members of the Board in respect of the time spent on the business of the
13 Board as the Board may, with the approval of the Minister, determine; and

14 (c) any other expenses incurred by the Board in the discharge of its
15 functions under this Act.

16 6.-(1) The Board shall prepare and submit to the Minister, not later
17 than the 30th of June of the year in which this Act comes into force (though
18 the Minister may, if he considers it necessary, extend the period) and of each
19 subsequent year, an estimate of its incomes and expenditure during the next
20 succeeding financial year.

Financial estimates
of expenditure,
accounts and audit

21 (2) The Board shall keep proper accounts in respect of each
22 financial year and prepare records in relation to those accounts and shall
23 cause its accounts to be audited within six months after the end of each
24 financial year to which the accounts relate.

25 7. The Minister may give to the Board directions of a general
26 character or relating generally to particular matters (but not to any individual
27 person or case) with regard to the exercise by the Board of its function and it
28 shall be the duty of the Board to comply with the directions.

Control of the
Board by the
Minister

29 8.-(1) The Minister shall, on the recommendation of the Board,
30 appoint a Registrar of the Board, a fit person who-

Registrar and
staff of the Board

1 (a) shall be an animal health and husbandry technologist in the
2 employment of the Public Service of the Federation; and

3 (b) who has been qualified as an animal health and husbandry
4 technologist practitioner for not less than 12 years.

5 (2) The Registrar shall, in addition to his other functions under this
6 Act be the Secretary to the Board and shall on the instruction of the Chairman
7 of the Board or any committee of the Board convene and keep minutes of the
8 proceedings at all meetings of the Board and committees.

9 (3) The Board may appoint such other persons to be employees of the
10 Board as it may determine, to assist the Registrar in the performance of his
11 functions under this Act.

12 (4) The Board may whenever the Registrar is absent or for another
13 reason is unable to discharge the function of his office appoint an Acting
14 Registrar to discharge his functions.

15 (5) The Registrar and other staff of the Board shall hold office on such
16 conditions as the Board may with the approval of the Minister determine.

17 PART II - REGISTRATION

Registration of
animal health
and husbandry
technologists

18 9.-(1) The Registrar shall prepare and maintain, in accordance with
19 rules made by the Board under this section, a register of the names, addresses,
20 approved qualifications and of such other particulars as may be specified of all
21 persons who are entitled in accordance with the provisions of this Act to be
22 registered as animal health and husbandry technologists and who apply in the
23 specified manner to be so registered.

24 (2) Subject to the provisions of this section, the Board shall make
25 rules with respect to the form and keeping of the registers and making of
26 entries, and in particular-

27 (a) regulating the making of application for registration and providing
28 for the evidence to be produced in support of the application;

29 (b) providing for the notification to the Registrar by the person to
30 whom any registered particulars relate, of any charge in those particulars;

1 (c) authorising a registered person to have any qualification which
2 is, in relation to the profession, whether an approved qualification or
3 accepted qualification for the purposes of section 10 (2) of this Act,
4 registered in relation to his name in addition to or, as he may elect, in
5 substitution for any other qualification so registered; and

6 (d) specifying the fees to be paid the Board in respect of the entry of
7 names on the register and authorising the Registrar to refuse to enter a name
8 on the register until any fees specified for entry has been paid, but rules made
9 for the purposes of paragraph (d) of this subsection shall not come into force
10 until they are confirmed at a meeting of the Board.

11 (3) The Registrar shall-

12 (a) correct in accordance with the directions of the Board, any entry
13 in the register which the Board directs him to correct as being in the opinion
14 of the Board an entry which was incorrectly made;

15 (b) make, from time to time, any necessary alteration to the
16 registered particulars of registered persons, and

17 (c) remove from the register the name of any registered person who
18 has died or has become insane, or for any other reason ceased to be a member
19 of the profession.

20 (4) If the Registrar-

21 (a) sends by post to any registered person a registered letter
22 addressed to him at his address in the register enquiring whether the
23 registered particulars relating to him are correct and receives no reply to that
24 letter within three months from the date of posting it, and

25 (b) upon the expiration of that period, sends in like manner to the
26 person in question a second letter and receives no reply to that letter within
27 three months from the date of posting it, the Registrar may remove the
28 particulars relating to the person from the register, but the Board may direct
29 the Registrar to restore to the register any particulars removed there from
30 under this subsection.

Publication of
the register and
list of corrections

1 **10.-(1)** The Registrar shall-
2 (a) cause the register to be printed, published and put on sale to
3 members of the public not later than two years from the beginning of the year in
4 which this Act comes into force;

5 (b) in each year after that in which a register is first published under
6 paragraph (a) of this subsection, cause to be printed, published and put on sale
7 as aforesaid either a corrected edition of the register or a list of alterations made
8 to each register since it was last printed; and

9 (c) cause a print of each edition of the register and of each list of
10 corrections to be deposited at the principal office of the Board, and it shall be
11 the duty of the Board to keep each register and lists so deposited open at all
12 reasonable time for inspection by members of the public.

13 (2) A document purporting to be a print of an edition of a register
14 published under this section by authority of the Registrar in the current year or
15 documents purporting to be prints of an edition of a register so published in the
16 current year, shall (without prejudice to any other mode of proof) be admissible
17 in any proceedings as evidence that any person specified in the document, or
18 the documents read together, as being registered was so registered and that any
19 person not so specified is not so registered.

Registration as
animal health
and husbandry
practitioners

20 **11.-(1)** Subject to section 21 of this Act and the rules made under
21 section 9 (2) of this Act, a person is entitled to be registered under this Act, and
22 being so registered, to receive a registration certificate if-

23 (a) he has attended a course of training approved by the Board under
24 section 13 of this Act;

25 (b) the course was conducted at an institution so approved or partly at
26 one such institution and partly at another;

27 (c) he holds one or more qualifications prescribed in the Third
28 Schedule to this Act for the purpose of registration on the register and has
29 complied with the other requirements prescribed under section 9 (2) of this Act;
30 and

1 (d) he pays any prescribed fees.

2 (2) Subject to section 2 of this Act and to rules made under section 9
3 (2) of this Act, a person shall be registered under this Act and receive a
4 registration certificate if he satisfies the Board that-

5 (a) he holds a qualification granted outside Nigeria for the time
6 being accepted by the Board for the purposes of this subsection in respect to
7 the profession;

8 (b) in the country in which the qualification was granted he was
9 under no legal disability in the practise of the profession;

10 (c) he is of good character; and

11 (d) he has paid the prescribed fees.

12 (3) The Board shall from time to time publish in the Federal
13 Government Gazette particulars of the qualifications for the time being
14 accepted by the Board.

15 (4) The qualifications specified in the Third Schedule to this Act Third Schedule
16 are those accepted for the time being by the Board as the minimum
17 qualification for the purpose of registration on the register maintained under
18 section 9(1) of this Act.

19 12.-(1) Subject to section 11 of this Act, a person shall be Temporary
registration
20 temporarily registered under the Act in cases specified in subsection (2) of
21 this section.

22 (2) Where a person satisfies the Board that he-

23 (a) has been selected for employment for a specified period in a
24 capacity in which a registered person under this Act would normally be
25 employed and that he is or intends to be in Nigeria temporarily for the
26 purpose of serving for that period in the employment in question;

27 (b) holds or has passed examinations necessary for obtaining same
28 qualification granted outside Nigeria which is for the time being accepted by
29 the Board for the purpose of this section as respects the capacity in which, if
30 employed, he is to serve; and

1 (c) paid the fees prescribed for registration, the Board may, if it thinks
2 fit, give a direction that he shall be temporarily registered.

3 (3) The temporary registration of a person shall continue only while
4 he is in such employment as is mentioned in sub-section (2) (a) of this section
5 and shall cease on the termination of the-

6 (a) period of the employment specified to the Board under that
7 subsection; or

8 (b) employment before the end of that period, whichever occurs first.

9 (4) Nothing in subsection (3) of this section shall preclude the Board
10 from giving a further direction under subsection (2) of this section in respect of
11 a specified period, the commencement of which coincides with the termination
12 of another such period.

13 (5) A person who is temporarily registered shall, in relation to the
14 employment mentioned under subsection (2) (a) of this section, and to things
15 done or omitted to be done in the course of that employment, be deemed to be
16 fully registered but in respect of other matters he shall be treated as not so
17 registered.

18 (6) In case of doubt as to whether a person's employment has been
19 terminated, the decision of the Board shall be conclusive for the purpose of
20 subsection (3) of this section.

21 (7) The Registrar, as directed from time to time by the Board, shall
22 remove from the register the name of any person ceasing to be entitled to
23 benefit from this section.

24 PART III - TRAINING

Approval of
the courses

25 13. -(1) Subject to subsection (2) of this section, the Board may
26 approve and for the purposes of section 11 of this Act-

27 (a) a course of training which is intended for persons seeking to
28 become members of the profession under this Act and which the Board
29 considers is designed to confer on persons completing it sufficient knowledge
30 and skill for the practice of the profession;

1 (b) any institution either in Nigeria or elsewhere, which the Board
2 considers is properly organised and equipped for conducting the whole or
3 any part of the course of training approved by the Board under this section;
4 and

5 (c) any qualification which as a result of the examination takes in
6 conjunction with the course of training approved by the Board under this
7 section, is granted to candidates reaching a standard at the examination
8 indicating, in the opinion of the Board, that they have sufficient knowledge
9 and skill to practise the profession to which the qualification relates.

10 (2) The Board shall, from time to time, publish in the Federal
11 Government Gazette a list of qualifications relating to the profession
12 approved by it for the purposes of subsection (1) of this section.

13 (3) The Board may, if it deems so, withdraw any approval given
14 under this section in respect of any course, qualification or institution, but
15 before withdrawing such an approval the Board shall-

16 (a) give notice that it proposes to do so to persons in Nigeria
17 appearing to the Board to be persons by whom the course is conducted or the
18 qualification is granted or the institution is controlled;

19 (b) afford each such person an opportunity of making to the Board
20 representation with regard to the proposal; and

21 (c) take into consideration any representation made with regard to
22 the proposal made in pursuance of paragraph (b) of this subsection.

23 (4) With regards to a period during which the approval given under
24 this section for his course, institution or qualification is withdrawn, the
25 courses or qualification shall not be treated as approved under this section,
26 but the withdrawal of such an approval shall not prejudice the registration or
27 eligibility for registration of any person who by virtue of the approval was
28 registered or eligible for registration immediately before the approval was
29 withdrawn.

30 (5) The giving or withdrawal of an approval under this section shall

1 have effect from such date, after the execution of the instrument signifying the
2 giving or withdrawal of the approval, as the Board may specify in that
3 instrument.

4 (6) The Board shall as soon as may be, publish a copy of every
5 instrument executed under subsection (5) of this section in the Federal
6 Government Gazette and send a copy of the instrument to the Minister.

Supervision of
instructions and
examinations
leading to
approved
qualifications

7 14.-(1) The Board shall keep itself informed of the nature of the-

8 (a) instruction given at approved institutions to persons attending
9 approved courses of training; and

10 (b) the examinations as a result of which approved qualifications are
11 granted.

12 (2) For the purpose of discharging that duty, the Board may appoint,
13 either from among its own members or otherwise, persons to visit approved
14 institutions or attend such examinations.

15 (3) A Visitor appointed under this section to shall report to the Board
16 on-

17 (a) the sufficiency of the instructions given to persons attending
18 approved courses of training at institutions visited by him;

19 (b) the sufficiency of examinations attended by him; and

20 (c) any other matter relating to the institutions or examinations on
21 which the Board may, either generally or in a particular case request him to
22 report but no Visitor shall interfere with the giving of any instructions or the
23 holding of any examination.

24 (4) On receiving a report made under this section, the Board shall as
25 soon as may be, send a copy of the report to the person appearing to the Board to
26 be in charge of the institution or responsible for the examinations to which the
27 report relates requesting that person to make representations to the Board
28 within such times as may be specified in the request, but not being more than
29 one month beginning with the date of the request.

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

3 PART V - MISCELLANEOUS

Penalties for
unprofessional
conduct

4 17.-(1) Where-

5 (a) a person registered under this Act is convicted by a Court or
6 Tribunal in Nigeria or elsewhere having power to award punishment for an
7 offence (whether or not the offence is punishable with imprisonment) which in
8 the opinion of the Disciplinary Committee is incompatible with the statute of
9 such registered person,

10 (b) a registered person is judged by the Disciplinary Committee to be
11 guilty of infamous conduct in a professional respect, or

12 (c) the Disciplinary Committee is satisfied that the name of any
13 person has been fraudulently registered, the Disciplinary Committee may give
14 any of the directions specified in subsection (2) of this section.

15 (2) The Disciplinary Committee in pursuance of subsection (1) of this
16 section may give a direction-

17 (a) ordering the Registrar to strike off the person's name from the
18 register;

19 (b) suspending that person from practice for such period as may be
20 specified in the direction;

21 (c) reprimanding that person;

22 (d) ordering the person to pay to the Board any cost of or incidental to
23 the proceeding incurred by the Board; or

24 (e) cautioning that person and binding him over for a period not
25 exceeding one year on one or more conditions as to his conduct during that
26 period and any such directions may where appropriate, include provisions
27 requiring the refund of money paid or the handing over of documents or any
28 other provisions as the case may require.

29 (3) In any inquiry under this section, any finding of fact which is
30 shown to have been made in any-

1 (a) criminal proceeding in a court in Nigeria; or

2 (b) civil proceeding in a court in Nigeria,

3 shall be conclusive evidence of the fact found.

4 (4) If, after due inquiry, the Disciplinary Committee is satisfied
5 that, during the period of binding over under subsection (2) (e) of this
6 section, a person has not complied with the condition imposed, the
7 Disciplinary Committee may impose any one or more of the penalties
8 mentioned in subparagraph (a), (b), (c) or (d) of that subsection.

9 (5) A certificate under the hand of the Chairman that costs have
10 been ordered to be paid by a person under this section shall be conclusive of
11 that fact.

12 18.-(1) Unless otherwise exempted under this Act, any person not Offences
13 being a fully registered animal health and husbandry technologist or, being a
14 fully registered animal health and husbandry technologist and allowing his
15 licence to expire so that payment of the prescribed fee is in arrears for more
16 than one year, who-

17 (a) for, or on expectation of, reward practises or holds himself out
18 as an animal health and husbandry technologists;

19 (b) takes or uses any letter that alters his name to indicate
20 qualification as an animal health and husbandry technologist, or

21 (c) without reasonable excuse takes or uses any name, title,
22 addition or description implying that he is authorised by law to practise as an
23 animal health and husbandry technologist,
24 commits an offence.

25 (2) If any person, for the purpose of procuring the registration of
26 any name, qualification or other matter-

27 (a) makes a statement which he believes to be false in a material
28 particular, or

29 (b) recklessly makes a statement which is false in a material
30 particular,

1 he commits an offence.

2 (3) If the registrar or any person employed by the Board willfully
3 makes any falsification in any matter relating to the registration, he commits an
4 offence.

5 (4) A person who commits an offence under this section shall be
6 liable-

7 (a) on summary conviction, to a fine not exceeding N25,000.00; or

8 (b) on conviction or indictment, to a fine or imprisonment for a term
9 not exceeding two years or to both.

10 (5) Where an offence under this section which has been committed by
11 a body corporate is proved to have been committed with the consent or
12 connivance of, or to be attributable to any neglect on the part of any director,
13 manager, secretary or other similar officer of the body corporate, or any person
14 purporting to act in any such capacity, he, as well as the body corporate, are
15 deemed to be guilty of that offence and are liable to be prosecuted against and
16 punished accordingly.

Restoration of
registration

17 19.-(1) Where the name of a person has been struck out from the
18 register in pursuance of a direction given under section 16 of this Act, the
19 Disciplinary Committee may, if it deems fit, at any time direct the restoration of
20 the person's name to the register.

21 (2) Any application for the restoration of a name to a register shall not
22 be made to the Disciplinary Committee before the expiration of such period
23 from the date of the striking off and where he has made an application, from the
24 date of his last application as may be specified in the direction.

25 (3) There shall be payable to the Board by any person on the
26 restoration of his name to a register in pursuance of a direction given under this
27 section the like fees as would be payable by that person on first becoming
28 registered prior to the disciplinary action.

Striking of entries
from the register
on grounds of
fraud or error

29 20.-(1) If it is proved to the satisfaction of the Disciplinary Committee
30 that any entry made in a register has been fraudulently or incorrectly made, the

1 Disciplinary Committee may direct that the entry shall be struck off from the
2 register.

3 (2) A person may be registered in under any provision of this Act
4 notwithstanding that his name has been struck off in pursuance of a direction
5 given under subsection (1) of this section if his name was struck off on the
6 ground of fraud he shall not be registered except an application in that behalf
7 is made to the Disciplinary Committee, and on any such application the
8 Disciplinary Committee may, direct that he shall not be registered until the
9 expiration of such period as may be specified in the direction.

10 (3) Any reference in this Act to the striking off from or the
11 restoration to a register of the name of a person shall be constructed as
12 including a reference to the striking off from or the restoration to the register
13 of any other registerable particulars relating to that person.

14 PART VI - SUPPLEMENTARY PROVISIONS

15 21. Any power to make regulations, rules or order conferred by
16 this Act shall include power to-

Regulations,
rules and orders

17 (a) make provision for such incidental and supplementary matters
18 as the authority making the instrument considers expedient for the purpose
19 of the instrument;

20 (b) prescribe membership fees in such amount as the Minister may
21 from time to time, approve; and

22 (c) make different provisions for different circumstances.

23 22. In this Act-

Interpretation

24 "accepted qualification" means a degree, diploma or other certificate
25 specified in the Third Schedule to this Act;

26 "animal health technologist" means a person registered and licensed by this
27 Act to practise animal health care delivery and welfare in Nigeria;

28 "Board" means the Animal Health and Husbandry Technologists
29 Registration Board of Nigeria established under section 1 (1) of this Act;

30 "member" means a member of the Board and includes the Chairman;

1 "Ministers" means the Minister charged with responsibility for matters relating
2 to agriculture;
3 "profession" means animal health and husbandry technology;
4 "register" means a register maintained under section 9 (1) of this Act;
5 "registrar" means the registrar of the Board appointed under section 8 (1) of this
6 Act; and
7 "registration certificate" means a registration certificate issued under section
8 11 (1) of this Act.

Citation

9 23. This Bill may be cited as the Animal Health and Husbandry
10 Technologists Registration Board (Establishment) Bill, 2018.

11 SCHEDULES

12 *Section 2 (3)*

13 FIRST SCHEDULE

14 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

15 1.-(1) A person other than a person appointed under section 2 (1) (e),
16 (g) and (h) of this Act shall not be a member of the Board unless he is a citizen of
17 Nigeria fully registered or, in the case of the first members of the Board, is
18 eligible for registration as member of the profession.

19 (2) Where a member of the Board ceases to hold office before the date
20 when his term of office would have expired by the effluxion of time the body or
21 person by whom he was appointed or elected shall, as soon as practicable be
22 appointed or, as the case may be elected person to fill the vacancy for the
23 residue of the term, but provisions of this paragraph shall not apply where a
24 person holding office as a member of the Board ceases to hold office at a time
25 when the residue of his term does not exceed one year.

26 2.-(1) Subject to the provision of this paragraph a member of the
27 Board, other than a public officer, shall hold office for a term of three years
28 from the date of his appointment and may be eligible for re-appointment for a
29 further term of three years and no more.

30 (2) A member of the Board, other than a public officer, may resign his

1 appointment by a letter addressed to the Minister and the resignation shall
2 take effect from the date of the receipt of the letter by the Minister.

3 (3) The Minister may appoint any person who is a registered
4 animal health and husbandry technologist to be a temporary member during
5 a long absence or temporary incapacity by illness of any member, and that
6 person may, while the appointment subsists, perform the functions of a
7 member under this Act.

8 (4) The provisions of this section shall be without prejudice to the
9 provisions of section 2 of the Interpretation Act which relates to
10 appointments.

11 *Proceedings of the Board*

12 3. The Board may make standing order regulating the proceeding
13 of the Board or committee and, in the absence of the Chairman, elect a
14 temporary Chairman who shall be an animal health and husbandry
15 technologist and has been so qualified for at least 12 years for the conduct of
16 affairs of the Board.

17 4. The quorum of the Board shall be five and the quorum of any
18 committee of the Board shall be as determined by the Board.

19 5. At any time while the office of the Chairman is vacant or the
20 Chairman is, in the opinion of the Board temporarily or permanently unable
21 to perform the functions of his office, the Vice-Chairman shall perform
22 those functions and references in this Schedule to the Chairman shall be
23 construed accordingly.

24 6.-(1) Subject to the provisions of any applicable standing order,
25 the Board shall meet whenever summoned by the Chairman and if the
26 Chairman is required to do so by notice to him by at least six other members,
27 he shall summon a meeting of the Board to be held within 21 days from the
28 date on which the notice is given.

29 (2) At any meeting of the Board the Chairman or, in his absence, the
30 Vice-Chairman shall preside but if both are absent the members present at

1 the meeting shall appoint one of them to preside at that meeting.

2 (3) Where the Board wishes to obtain the advice of any person in a
3 particular matter, the Board may co-opt him as a member for such period as it
4 deems fit, but a person who is a member by virtue of this subparagraph is not
5 entitled to vote at any meeting of the Board and shall not count towards a
6 quorum.

7 7.-(1) The Board may appoint one or more committees to carry out, on
8 behalf of the Board, such of its functions as the Board may determine.

9 (2) A committee set up under this paragraph shall consist of the
10 number of persons determined by the Board and not more than one-third of
11 those persons may be persons who are not members of the Board, and a person
12 other than a member of the Board shall hold office on the committee in
13 accordance with the terms of the instrument by which he is appointed.

14 (3) A decision of a committee of the Board shall be of no effect until is
15 confirmed by the Board.

16 8.-(1) The fixing of the seal of the Board shall be authenticated by the
17 signature of the Chairman or another member authorised generally or specially
18 by the Board to act for that purpose.

19 (2) Any contract or instrument, which if made or executed by a person
20 not being a body corporate would not be required to be under seal, may be made
21 or executed on behalf of the Board by any person generally or specially
22 authorised to act for that purpose by the Board.

23 SECOND SCHEDULE

24 *Section 16 (5)*

25 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY
26 COMMITTEE AND THE INVESTIGATING PANEL

27 *The Disciplinary Committee*

28 1.-(1) The Attorney-General of the Federation shall make rules as to
29 the procedure to be followed and the rules of evidence to be observed in
30 proceeding before the Disciplinary Committee.

1 (2) The rules shall, in particular provide-

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

5 (b) for determining who, in addition to the person, shall be a party
6 to the proceedings;

7 (c) for securing that any party to the proceedings is, if he requires,
8 entitled to be heard by the Disciplinary Committee;

9 (d) for enabling any party to the proceedings to be represented by a
10 legal practitioner;

11 (e) subject to the provisions of section 9 (2) (d) of this Act, as to the
12 costs to proceedings before the Disciplinary Committee;

13 (f) for requiring, in a case where it is alleged that the person who is
14 the subject of the proceedings is guilty of infamous conduct in any
15 professional respect, that where the Disciplinary Committee finds that the
16 allegation has not been proved, it shall record a finding that the person is not
17 guilty of such conduct in respect of the matter to which the allegation relates;
18 and

19 (g) for publishing, in the Federal Government Gazette, the notice
20 of any direction of the Disciplinary Committee which has taken effect
21 providing that a person's name shall be erased from the register.

22 2.-(1) For the purpose of advising the Disciplinary Committee on
23 questions of law arising in the proceedings before it, there shall in all such
24 proceedings, be an assessor to the Disciplinary Committee who shall be-

25 (a) appointed by the Board on the recommendations of the
26 Attorney-General of the Federation; and

27 (b) a legal practitioner of at least seven years standing.

28 (2) The Attorney-General of the Federation shall make rules as to
29 the functions of assessors appointed under this paragraph and, in particular,
30 such rules shall contain provisions for securing-

1 (a) that where an assessor advises the Disciplinary Committee on any
2 question of law as to evidence, procedure or any other matter specified by the
3 rules, he shall do so in the presence of every party or person representing a party
4 in the proceedings who appears or, if the advice is tendered while the
5 Disciplinary Committee is deliberating in private, that every such party or
6 person shall be informed as to what advice the assessor has rendered; and

7 (b) that every party or person shall be informed if in any case the
8 Disciplinary Committee does not accept the advice of the assessor on such a
9 question.

10 (3) An assessor may be appointed under this paragraph either
11 generally or for any particular proceeding or class of proceedings and shall
12 hold and vacate office in accordance with the terms of the instrument by which
13 he is appointed.

14 3. The quorum at any meeting of the Disciplinary Committee shall be
15 three.

16 4. At any meeting of the Disciplinary Committee, the Chairman of
17 the Board shall preside and, in his absence, the members present shall appoint
18 one of them to preside at that meeting.

19 5. Any question proposed for decision by the Disciplinary Committee
20 shall be determined by majority of the members present and voting at a meeting
21 of the Disciplinary Committee at which a quorum is formed.

22 6. At all meetings of the Disciplinary Committee, each member
23 present shall have one vote on a question proposed for decision by the
24 Disciplinary Committee and, in the event of an equality of votes, the Chairman
25 shall, in addition to a deliberation vote, have a casting vote.

26 7. For the purpose of any inquiry, the Disciplinary Committee may
27 hear and receive evidence and may, under the hand of the Chairman or
28 Registrar, summon witness and require the production of any book, document
29 or thing and may, through the Registrar, administer an oath to any witness.

The Investigating Panel

1
2 8.-(1) The Investigating Panel may at any meeting of it attended by
3 at least four members make standing order for its purpose.

4 (2) Subject to the provision of any such standing order, the
5 Investigating Panel may regulate its own procedure.

6 (3) The quorum of the panel shall be three.

7 *Miscellaneous*

8 9.-(1) A person ceasing to be a member of the Disciplinary
9 Committee or the Investigating Panel is eligible for re-appointment as a
10 member of that body.

11 (2) A person may be a member of both the Disciplinary Committee
12 and the Investigating Panel, but no person who has acted as a member of
13 Investigating Panel with respect to any case shall act as a member of the
14 Disciplinary Committee with respect to that case.

15 10. The Disciplinary Committee or Investigating Panel may act
16 notwithstanding any vacancy in its membership and the proceedings of
17 either body shall not be invalidated by any irregularity in the appointment of
18 a member of that body, or subject to paragraph 10 (2) of this Schedule, by
19 reason of the fact that any person who was not entitled to do so took part in
20 the proceedings of that body.

21 11. The Disciplinary Committee and the Investigating Panel may
22 each sit in two or more places.

23 12. Any document authorised or required by virtue of this Act to be
24 served on the Disciplinary Committee or the Investigating Panel shall be
25 served on the Registrar.

26 13. Any expenses of the Disciplinary Committee or the
27 Investigating Panel shall be defrayed by the Board.

1 THIRD SCHEDULE

2 *Section 11 (4)*

3 ACCEPTABLE MINIMUM QUALIFICATION FOR THE PURPOSE OF
4 REGISTRATION ON THE REGISTER ESTABLISHED UNDER THIS ACT

- 5 1. Higher National Diploma of the College of Animal Health and
6 Production Technology or its recognised equivalent qualification.
7 2. Professional diploma or degree of any recognised University.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Animal Health Husbandry Technologists
Registration Board of Nigeria to regulate the practice of Animal Health and
Husbandry Technologists in Nigeria.