



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**CHARTERED INSTITUTE OF STATISTICIANS OF NIGERIA (ESTABLISHMENT) BILL,
2022.**

(RE-COMMITTAL)

A BILL
FOR

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF STATISTICIANS OF NIGERIA TO DETERMINE WHAT STANDARDS OF KNOWLEDGE AND SKILL ARE TO BE ATTAINED BY PERSONS SEEKING TO BECOME MEMBERS OF THE INSTITUTE, REVIEW THOSE STANDARDS FROM TIME TO TIME; AND FOR RELATED MATTERS,
2022

THIS BILL WAS RE-COMMITTED AND PASSED BY THE SENATE ON WEDNESDAY,
30TH NOVEMBER, 2022.

CHARTERED INSTITUTE OF STATISTICIANS OF NIGERIA (ESTABLISHMENT) BILL, 2022.



Arrangement of Clauses

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A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF STATISTICIANS OF NIGERIA TO DETERMINE WHAT STANDARDS OF KNOWLEDGE AND SKILL ARE TO BE ATTAINED BY PERSONS SEEKING TO BECOME MEMBERS OF THE INSTITUTE, REVIEW THOSE STANDARDS FROM TIME TO TIME; AND FOR RELATED MATTERS, 2022

() commencement

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

PART I — ESTABLISHMENT OF THE CHARTERED INSTITUTE OF STATISTICIANS OF NIGERIA

Establishment,
duties and
members of
the Institute

1. (1) There is established the Chartered Institute of Statisticians of Nigeria (in this Bill referred to as "the Institute") which shall be a body corporate with perpetual succession and a common seal.

(2) The Institute may:

(a) sue and be sued in its corporate name; and

(b) hold, acquire and dispose of any property moveable or immovable.

(3) The Institute shall be charged with the general duty to:

(a) determine what standards of knowledge and skill are to be attained by persons seeking to become members of the Institute and review those standards from time to time;

(b) secure in accordance with the provision of this Bill the establishment and maintenance of registers of fellows, associates and registered Statisticians entitled to practice as Statisticians and the publication from time to time of lists of those persons; and

(c) perform any other function conferred on it by this Bill.

(4) Subject to the provisions of this Bill, members admitted to the Institute shall be:

(a) enrolled as Chartered Statisticians in the category of:

(i) fellows;

(ii) associates;

(b) registered as registered Statisticians, and shall have such status in the Institute accordingly; and

(c) persons accorded by the Council under this Bill with the status of Chartered Statisticians and shall be entitled to the use of that name.

(5) A person shall be registered as a fellow if the person satisfies the Council that for the next 5 years preceding the date of application in that behalf, he has been fit and proper person and has, in addition to being:

(a) a holder of an approved academic qualification, been in continuous practice as a Statistician or in partnership with other Statisticians;

(b) for the period of not less than 10 years immediately preceding the date of application for such enrolment (the period of membership of the association, in the discretion of the Council, counting in that behalf) he has been enrolled as associate, or qualified to be so enrolled whether in practice as a Statistician or not and is otherwise a fit and proper person.

(6) A person shall be registered as an associate if the person satisfies the Council that he has passed examinations prescribed or accepted by the Institute and is otherwise a fit and proper person to be enrolled in the register.

(7) Where a person is registered, as the case may be in the Institute, he shall be entitled to the use of such letters after his name as may be authorized by the Council as:

(a) a fellow;

(b) an associate; or

(c) a registered Statistician, and shall, when enrolled or registered, receive a certificate in such form as the Council may approve.

2. (1) There shall be a President and a Vice-President of the Institute who, subject to the provisions of section 3 and the First Schedule to this Bill, shall be elected by the members of the Institute and hold office each for a term of 2 years from the date of election.

Election of
President and
Vice President
of the Institute

(2) The President shall be the Chairman at all meetings of the Institute and, in his absence, the Vice President shall act on his behalf.

(3) In the event of death, incapacity, resignation or inability for any reason of the President, the Vice-President shall act in his stead for the unexpired period of the term of office, or as the case may require, and references in this Bill to the President shall be construed accordingly.

(4) The President and Vice-President shall be Chairman and Vice-Chairman of the Council respectively under this Bill.

(5) If the President or Vice-President ceases to be a member of the Institute, he shall cease to hold any of the offices designated under this section and shall cease to enjoy any privileges related to that office.

3. (1) There is established for the Institute a Governing body (in this Bill referred to as "the Council") charged with the responsibility for the administration and general management of the Institute.

Establishment
of Governing
Council and
functions

(2) The Council shall consist of:

- (a) The president and vice presidents of the institute;
- (b) Six persons elected by the institute who must be chartered members and
- (c) a representative of the following ministries and departments of Government not below the rank of a Director
 - (i) Federal Ministry of Education
 - (ii) Federal Ministry of Finance, Budget and National Planning
 - (iii) National Bureau of Statistics and
 - (iv) Central Bank of Nigeria

(d) The Registrar of the Institute.

(3) The Council shall consist of a total of 13 members who shall except the ex-officio members, either be fellows or Associate members appointed or elected as the case may be.

(4) Provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and the other matters mentioned therein.

(5) The Council shall set guidelines for the recruitment, discipline and promotion of staff, approve terms and conditions of service, and benefits of employees of the Institute.

(6) The remuneration, allowances, and benefits of the President, Vice President, and Council members shall be approved by the General Meeting of the Institute.

4. (1) The Council shall establish and maintain a fund, (in this Bill referred to as "the Fund") the management and control of which shall be by the Council, and into which shall be paid all moneys received by the Council including moneys held by the Nigerian Statistical Association incorporated under the Companies and Allied Matters Act (in this Bill, referred to as "the Association") on its ceasing to exist as provided in section 5 of this Bill.

Fund of the
Institute

(2) There shall be defrayed from the Fund:

(a) liabilities incurred by or on behalf of the Institute; and

(b) remuneration, allowances, and benefits of employees of the Institute.

(3) The Council may invest moneys in the Fund in any security created or issued by or on behalf of the Government of the Federation or in any other securities in Nigeria approved by the Council.

(4) The Council may borrow money for the purposes of the Institute if the need arises, and any interest payable on such moneys so borrowed, shall be paid out of the Fund.

(5) The Council shall keep proper accounts on behalf of the Institute in respect of each financial year and proper records in relation to those accounts and the Council shall cause the accounts to

be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

(6) When audited, the accounts shall be submitted to the members of the Institute for approval at the next Annual General Meeting.

(7) The Auditor, appointed for the purposes of this section shall not be a member of the Council.

5. (1) On the commencement of this Bill:

Transfer to the Institute of certain assets and liabilities

(a) all property held immediately before that day by or on behalf of the Association shall, by virtue of this subsection, vest in the Institute and be held by it for the purpose of the Institute;

(b) the Association shall cease to exist; and

(c) subject to subsection (2) of this section, any act, matter or thing made or done by the Association shall cease to have effect.

(2) The provisions of the Second Schedule to this Bill shall have effect with respect to matters arising from the transfer by this section to the Institute, property of the Association and, with respect to the other matters mentioned in that Schedule.

PART II — THE REGISTRAR AND THE REGISTER

6. (1) The Council shall appoint a fit and proper person to be the Registrar for the purpose of this Bill, and such other persons as the Institute may from time to time deem necessary.

Appointment of Registrar and preparation of the register

(2) The Registrar shall prepare and maintain, in accordance with the rules made by the Council, a register of the names, addresses and approved qualifications and, such other particulars as may be specified in the rules, of all persons who are entitled in accordance with the provisions of this Bill to be enrolled as fellows or as associates, or Registered as registered Statisticians and, who in the manner prescribed by such rules, apply to be registered.

(3) The register shall be in three parts:

(a) Fellows;

(b) Associates; and

(c) Registered Statisticians.

(4) Subject to the provisions of this section, the Council shall make rules to:

(a) regulate the making of application for enrolment or registration as the case may be and provide for the evidence to be produced in support of applications;

(b) provide for the notification to the Registrar, by the persons to whom any registered particulars relating to any change in those particulars;

(c) authorize a registered person to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to his name in addition to or, as he may elect, in substituting for any other qualifications so registered;

(d) specify the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register and, authorize the Registrar to refuse to enter a name on the register until any fee specified for the entry has been paid; and

(e) specify any requirement provided for in this section.

5) Rules made for the purposes of subsection 4 (d) of this section shall not come into force until they are confirmed at a special meeting of the Institute convened for the purpose thereafter, or at the next annual general meeting, as the case may be.

7. (1) The Registrar shall:

Duties of the
Registrar

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

(b) make from time to time any necessary alterations in the registered particulars of registered persons;

(c) remove from the register the name of any registered person who has died; and

(d) record the names of members of the Institute who are in default in payment of annual subscriptions and where such members continue to default in payment for more than six months:

(i) such defaulting members shall be advised in writing to fulfil their obligations within three months; and

(ii) upon the expiration of the three months period in question, and of a second similar three months and receives no payment or response, to take such action (including removal of the names of defaulters from the register) as the Council may direct or require.

(2) Where the Registrar:

(a) sends by post to any registered person, a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting it; and

(b) upon the expiration of the period sends in the like manner to the person in question a second similar letter and receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person in question from the register, and the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed there from under this subsection.

8. (1) The Registrar shall:

Publication of
register and
list of
corrections

(a) cause the register to be printed, published and put on sale to members of the public not later than two years from the appointed day; and

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

(c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Institute, the Council shall keep the register and lists so deposited available at all reasonable times for inspection by members of the public.

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

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

9. (1) Subject to section 13 of this Bill and to rules made under section 6 of this Bill, a person shall be entitled to be registered as a Chartered Statistician if he:

Registration of
Chartered
Statisticians

(a) passes the qualifying examination for membership conducted by the Council under the Bill and completes the practical training prescribed;

(b) holds a qualification granted inside or outside Nigeria and for the time being accepted by the Institute and, if the Council so requires; or

(c) satisfies the Council that he has had sufficient practical experience as a Statistician.

(2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that he:

(a) is of good character and high integrity;

(b) has attained the age of 21 years; and

(c) has not been convicted in Nigeria or elsewhere of an offence involving fraud, dishonesty or gross misconduct.

(3) The Council may in its sole direction provisionally accept a qualification produced in respect of an application for registration under this section or, direct that the application be renewed within such period as may be specified in the direction.

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

(5) The Council shall from time to time publish in the Federal Government Gazette particulars of qualifications for the time being acceptable for enrolment or registration by the Institute.

10. (1) The Council may approve any relevant qualification for the purpose of this Bill, and may, for those purposes, approve a:

Approval of
qualifications.

(a) course of training at any approved institution which is intended for persons who are seeking to become or are already Chartered Statisticians and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for admission to the Institute; and

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

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

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

(b) afford each such person an opportunity of making to the Council, representations with regard to the proposal; and

(c) take into consideration any representation made as respects the proposal under paragraph (b)

(3) With regard to the period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall be treated as approved under this section but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval was registered or eligible for registration (either unconditionally or subject to his obtaining a certificate or experience) immediately before the approval was withdrawn.

(4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument, and the Council shall:

(a) publish a copy of every such instrument in the Federal Government Gazette; and

(b) not later than seven days before its publication, send a copy of the instrument to the Minister for execution.

11. (1) The Council shall keep itself informed of the nature of the:

Supervision on instruction.

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

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

(2) For the purpose of performing the duty provided in subsection (1) of this section, the Council may appoint a committee either from among its own members or otherwise, to visit approved institutions, or to observe such examinations.

(3) The committee set-up under subsection (2) of this section shall report to the Council:

(a) the adequacy of instruction given to persons attending approved courses of training at institutions visited;

(b) the adequacy of the examinations attended; and

(c) any other matter relating to the institutions or examinations on which the Council may, either generally or in a particular case, request it to report.

(4) No member of the committee shall interfere with the giving of any instruction or the holding of any examination.

(5) On receipt of a report made under this section, the Council may, if it deems fit, and shall, if so required by the Institute, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request.

PART III -- PROFESSIONAL DISCIPLINE

12. (1) There is established the Statisticians Investigating Panel (in this Bill referred to as "the Panel"), which shall -

Establishment of Investigating Panel and Disciplinary Tribunal

(a) conduct a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a Statistician, or has for any reason been the subject of proceedings before the Tribunal; and

(b) decides whether the case shall be referred to Tribunal.

(2) The Panel shall be appointed by the Council and shall consist of five members, three of which shall be members of the Council and two Chartered Statisticians who are not members of the Council.

(3) There is established the Statisticians Disciplinary Tribunal (in this Bill referred to as "the Tribunal"), which shall be charged with the duty of considering and determining any case referred to it by the Panel established under subsection (1).

(4) The Tribunal shall consist of the Chairman of the Council and six other members of the Council appointed by the Council.

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

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

13. (1) Where:

Penalties for
unprofessional
conduct, etc

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

(b) a member is convicted, by any court of competent jurisdiction in Nigeria or elsewhere of an offence (whether or not punishable with imprisonment) which in the opinion of the Tribunal is incompatible with the status of a Statistician; or

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

(2) The Tribunal may, if it deems fit, defer or further defer its decision as to the giving of a direction under subsection (1) until a subsequent meeting of the Tribunal, but no:

(a) decision shall be deferred under this subsection for a period exceeding two years in the aggregate; and

(b) person shall be a member of the Tribunal for the purpose of reaching a decision which has been deferred or further deferred unless he was present as a member of the Tribunal when the decision was deferred.

(3) For the purpose of subsection (1), a person shall not be treated as a convict unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

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

(5) The person to whom such a direction relates may, at any time within 28 days from the date of serving on him of notice of the direction, appeal against the direction to the Federal High Court.

(6) The Tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the Tribunal, the Tribunal shall be deemed to be a party whether or not it appears on the hearing of the appeal.

(7) A direction of the Tribunal under subsection (1) shall take effect where:

(a) no appeal under this section is brought against the direction within the time limited for such an appeal, on the expiration of that time;

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

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

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

(9) A direction under this section for the removal of a person's name from the register may prohibit an application under subsection (7) by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) or as may be specified in the direction.

PART IV — GENERAL AND MISCELLANEOUS

14. A person, not being a member of the Association, who, but for this Bill, would have been qualified to apply for and obtain membership of the Association, may within the period of three months beginning with the commencement day, apply for membership of the Institute in such manner as may be prescribed by rules made by the Council and if approved, he shall be registered, as the case may be, according to his qualification.

Application of
Act
unregistered
persons

15. (1) Subject to the provisions of subsection (3), a person shall be deemed to practise as a Statistician if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any other person, he:

When a
person is
deemed to
practise a
Statistician

(a) engages himself in the practice of Statistics or holds himself out to the public as a Statistician;

(b) offers to perform or performs any service involving statistical consultancy; or

(c) renders any other service, which may, by regulations made by the Council, be designated as service constituting practice as a Statistician.

(2) All Members in practice shall register their firms with the Institute.

(3) Nothing in this section shall be construed to apply to persons who, while in the employment of any government or person, are required under the terms or in the course of such employment, to perform the duties of a Statistician or any of them.

16. (1) The Council may make rules for:

Rules as to
articles,
practicing
fees, etc.

(a) training with Chartered Statisticians of suitable persons in statistical methods and practice;

(b) supervision and regulation of the engagement, training and transfer of such persons;

(c) provision of articles;

(d) prescribing the amount and due date for payment of the annual subscription and annual renewal of studentship and for such purpose different amounts may be prescribed by the rules whether the member of the Institute is a Fellow, an Associate or a Registered Statistician and also if the Fellow or the Associate is in practice as a Statistician or not;

(e) prescribing the form of license to practice, to be issued annually or, if the Council deems fit, by endorsement on an existing licence;

(f) restricting the right to practice as a Statistician in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules;

(g) restricting the right to practice as a Statistician if the qualification granted outside Nigeria does not entitle the holder to practice as a Statistician; and

(h) prescribing the period of practical training in the office of a chartered statistician in practice to be completed before a person qualifies for enrolment or a license to practice as a statistician.

(2) Rules when made shall, if the Chairman of the Council so directs, be published in the Federal Government Gazette.

17. The Institute shall:

Provision of
Library
facilities, etc.

(a) provide and maintain a library comprising of books and publications for the advancement of knowledge of Statistics, and such other books and publications as the Council may think necessary for that purpose; and

(b) encourage research into statistics and allied subjects to the extent that the Council may, from time to time, consider.

18. (1) Any regulation made under this Bill shall be published in the Federal Government Gazette as soon as may be after they are made.

Regulations

(2) Rules made for the purpose of this Bill shall be subject to confirmation by the Institute at its next annual general meeting or at any special meeting of the Institute convened for the purpose, and if then annulled shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended to be done under any such rules.

19. (1) Where a person, for the purpose of procuring the registration of any name, qualification or other matters:

Offences and
penalties

(a) makes a statement which he believes to be false in a material particular; or

(b) recklessly makes a statement which is false in a material particular, he commits an offence.

(2) Where, on or after the relevant date, a person, not being a member of the Institute, practises as a Statistician for, or in expectation of reward, takes or uses any name, title, addition or description implying that he is in practice as a Statistician, he commits an offence:

Provided that, in the case of a person falling within section 13 of this Bill:

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

(b) if within that period he duly applies for membership of the Institute, then, unless within that period he is notified that his application has not been approved, this subsection does not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified.

(3) Where, on or after the relevant date, a registered Statistician holds himself out as a Chartered Statistician or takes or uses any name, title, addition or description implying that he is a Chartered Statistician, he commits an offence.

(4) Where the Registrar or any other person employed by or on behalf of the Institute wilfully makes any falsification in any matter relating to the register, he commits an offence.

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

(a) summary conviction, to a fine not exceeding ₦100,000 or to imprisonment for a term not exceeding five years, or to both; and

(b) conviction on indictment, to a fine not more than ₦50,000 or imprisonment for a term not more than two years, or both.

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

(7) In this section, "the relevant date" means the third anniversary of the appointed day or such earlier date as may be prescribed and published in the Federal Gazette, and for the purposes of this section, different dates may be prescribed for different geo-political zones within the meaning of the Constitution of the Federal Republic of Nigeria.

20. In this Bill:

Interpretation

"Association" means the Nigerian Statistical Association;

"Chartered Statistician" means a Statistician registered as a fellow or associate of the Institute;

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

"Council" means the Council established as the governing body of the Institute under section 3 (1) of this Bill;

"enrolled", in relation to a fellow or an associate, means registered in the part of the register relating to fellows or associates, as the case may be;

"fees" includes annual subscriptions;

"infamous conduct" means any act or omission, which are inconsistent with the code of conduct for members or which may be reasonably construed to be shameful or disgraceful;

"Institute" means the Chartered Institute of Statisticians of Nigeria established under section 1 (1) of this Bill;

"member" means a member of the Institute;

"members in practice" means members of the Institute who engage in any statistical practice;

Minister" means the Minister of the Government of the Federation charged with the responsibility for National Planning and Economic Development;

"professional misconduct" means any dishonest act or attempt to subvert the course of the statistical profession by the use of deceptive or reprehensible method whether deliberate or not;

"panel" means the Investigating Panel established under section 12 (1) of this Bill;

"President" and "Vice-President" mean respectively the office-holders under those names in the Institute;

"register" means the register maintained in pursuance of section 6 of this Bill;

"Registered Statistician" means a member of the Institute who is not a Fellow or an Associate member;

"Tribunal" means the Disciplinary Tribunal established under section 12 (3) of this Bill.

21. This Bill may be cited as the Chartered Institute of Statisticians of Nigeria (Establishment) Bill, 2022.

Citation

SCHEDULES

FIRST SCHEDULE

Section 2 (1) and 3 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualification and Tenure of Office of Members

1. (1) The President and Vice President of the Institute shall hold office for a period of two years.
- (2) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of three years, provided that at the first election of Council members four of which score the least votes, shall be elected for a term of two years beginning with the date of their election but in the event of ties, a second voting shall be held.
- (3) A member of the Institute who ceases to be a member shall, if he is also a member of the Council, cease to hold office on the Council.
- (4) A member may, by notice in writing under his hand addressed to the President, resign his office.
- (5) Elections to the Council shall be held in such manner as may be prescribed by rules made by the Council and, until so prescribed, they shall be decided by a show of hands.
- (6) Where, for any reason, an elected member vacates office, a new member shall be elected at the next general meeting of the Institute who shall serve for a term of three years.

Powers of Council

2. (1) The Council shall have power to take certain actions which in its opinion is calculated to facilitate the carrying on of the activities of the Institute.
- (2) Subject to the provisions of this Bill, the Council may, in the name of the Institute, make standing orders regulating the proceedings of the Institute, Council, or any of the Institute's Committees.
- (3) The standing orders shall provide for decision to be taken by a majority of the members and, in the event of equality of votes, the President or the Chairman, as the case may be, shall have a second or casting vote.
- (4) The standing orders made for a Committee shall provide that the Committee reports back to the Council on any matter not within its competence to decide.
- (5) The quorum of the Council shall be five and the quorum of a Committee of the Council shall be determined by the Council.

Meetings of the Institute

3. (1) The Council shall convene the annual general meetings of the Institute on such days as the Council may from time to time appoint, and if the meeting is not held within one year after the previous annual meeting, not more than 15 months shall elapse between the respective dates of the two meetings.
- (2) A special meeting of the Institute may be convened by the Council at any time and if not less than 10% of members of the Institute require it by notice in writing addressed to the Registrar of the Institute setting out the objects of the proposed meeting, the Chairman of the Council shall convene special meeting of the Institute.

(3) The quorum of any general meeting of the Institute shall be 10% of members, and that of any special meeting of the Institute shall be 10% of members.

Meetings of the Council

4. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within seven days from the date on which the notice is given.

(2) At any meeting of the Council, the President, or in his absence, the Vice-President shall preside, but if both are absent, the members present shall appoint one of them to preside at that meeting.

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

Committees

5. (1) The Council may appoint one or more Committees to carry out on behalf of the Institute or of the Council; such functions as the Council may determine.

(2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Council, of whom not more than one-third shall be persons who are not members of the Council, and a person other than a member of the Council shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.

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

Miscellaneous

6. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President or of some other member of the Council authorized generally or specially by the Institute to act for that purpose.

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

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

(4) The validity of any proceeding of the Institute, Council or a Committee of the Council shall not be affected by:

(a) any vacancy in membership;

(b) any defect in the appointment of a member of the Institute, or Council or a person to serve on the Committee; or

(c) reason that a person not entitled to do so took part in the proceedings.

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

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

SECOND SCHEDULE

Section 5 (2)

TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

Transfer of Assets and Liabilities

1. (1) Every agreement to which the Association was a party immediately before the appointed day, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations there under could be assigned by the Association, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by this subparagraph, have effect from the appointed day so far as it relates to property transferred by this Bill to the Institute as :

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

(b) for any reference (however worded and whether express or implied) to the Association that were substituted, as respects anything failing to be done on or after the appointed day, a reference to the Institute; and

(c) for any reference (however worded and whether express or implied) to a member or members of the Council of the Association or an officer of the Association that were substituted, in respect of anything failing to be done on or after the appointed day, a reference to a member or members of the Council under this Bill or the officer of the Association who corresponds as nearly as may be to the member or officer in question of the Association.

(2) Other documents which refer, whether specially or generally, to the Association shall be construed in accordance with subparagraph (1) of this paragraph so far as applicable.

(3) Without prejudice to the generality of the provisions of this Schedule, where, by the operation of any of them or of section five of this Bill, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the appointed day, have the same rights, powers and remedies (and in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Institute

(4) Any legal proceeding or application to any authority pending on the appointed day by or against the Association and relating to assets and liabilities transferred by this Bill to the Institute may be continued on or after that day by or against the Institute.

(5) Where the law in effect at the place where any asset and liability transferred by this Bill is situate provides for the registration of transfers of assets and liabilities of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property mentioned and, it is the duty of the court to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and the officer shall register the transfer accordingly.
Transfer of Functions, etc.

2. (1) At its first meeting, the Council shall fix a date (not later than six months after the appointed day) for the Annual General Meeting of the Institute.

(2) The members of the Council of the Association shall be deemed to be the members of the Council of the Institute until the date determined under this subparagraph when the Institute shall have its first Annual General Meeting, and they shall cease to hold office at the conclusion of such meeting.

(3) A person who, immediately before the appointed day, held office as the President or Vice-President of the Council of the Association by virtue of the articles of the Association shall on that day become the President or, as the case may be, the Vice-President of the Institute, and shall be deemed to have been an appointed:

(a) to that office under this Bill corresponding to the relevant provision in the said articles of the Association; and

(b) on the date on which he took office, or last resumed office, under of the relevant provision of these articles.

(4) The members of the Association shall, from the appointed day, be registered as members of the Institute, and, without prejudice to the generality of the provisions of this Schedule relating to the transfer of property, any person who, immediately before the appointed day, was a member of the staff of the Association, shall on that day become the holder of an appointment with the institute with the status, designation and functions which correspond as nearly as may be to those which pertained to him in his capacity as a member of that staff.

(5) A person being an office-holder on, or member of, the Council of the Association immediately before the appointed day and deemed under this paragraph to have been appointed to any like position in the Institute, or on the Council, and thereafter ceasing to hold office otherwise than by reason of his misconduct, is eligible for appointment to office in the Institute or to membership of the Council, as the case may be.

(6) All regulations, rules and similar instruments made for the purposes of the Association and in force immediately before the appointed day shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, shall take effect, with any necessary modification, as if duly made for the corresponding purposes of the Institute.

THIRD SCHEDULE
Section 12 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL OF THE TRIBUNAL

The Tribunal

1. The quorum of the Tribunal shall be six persons of whom at least three shall be Statisticians.
2. (1) The Attorney-General of the Federation may make rules as to the selection of the members of the Tribunal for the purposes of any proceeding and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.
 - (2) The rules shall, in particular provide:
 - (a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person mentioned, shall be party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Tribunal;
 - (d) for enabling any party to the proceedings to be represented by a legal practitioner;
 - (e) subject to the provisions of section 12 (5) of this Bill, as to the costs of proceedings before the Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates;
 - (g) for publication, in the Federal Gazette, of notice of any directive of the Tribunal, which has taken effect provided that a person's name shall be struck off the register.
3. For the purposes of any proceeding before the Tribunal, any member of the Tribunal may administer Oaths and any party to the proceedings may issue out of the registry of the Court of Appeal writs of subpoena ad testificandum and duces tecum, but no person appearing before the tribunal shall be compelled to:
 - (a) make any statement before the Tribunal tending to incriminate himself; or
 - (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4. (1) For the purpose of advising the Tribunal on question of law arising in the proceedings before it, there shall, in all such proceedings, be an assessor to the Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than 7 years standing.

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

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

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

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

The Panel

5. The quorum of the Panel shall be three of whom at least one shall be a Statistician.

6. (1) The Panel may, at any meeting of the Panel attended by all the members of the Panel, make standing orders with respect to the Panel.

(2) Subject to the provisions of any standing order, the Panel may regulate its own procedure.

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or Panel is eligible for reappointment as a member of that body.

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

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

9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or Panel shall be served on the Registrar appointed under section 6 of this Bill.

10. Any expenses of the Tribunal or Panel shall be defrayed by the Institute.

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Chartered Statisticians (Disciplinary Tribunal and Assessors Rules)

2. A party to the proceedings before a Tribunal who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the Tribunal were given, for a rehearing on the ground of want of notice or other good and sufficient reason, and the Tribunal, in appropriate cases, may grant the application upon such terms as to costs or otherwise as it deems fit.

3. The Tribunal may, in the course of its proceedings, hear witnesses and receive documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complaint referred to it by the Panel, and in the application of this rule, the provisions of the Evidence Act or Law in force in the State where the Tribunal is sitting shall apply to such proceedings.

4. If in the course of the proceedings it appears to the Tribunal that the complaint before it requires to be amended in any respect, the Tribunal may, on such terms as it deems fit, allow the amendment to be made and the complaint as so amended shall subsequently, be dealt with accordingly.

5. Proceedings, a findings and directions of the Tribunal shall be held, and delivered public, unless otherwise directed by the Tribunal.

6. The Tribunal may, of its own motion or upon the application of any party, adjourn the hearing on such terms as to costs or otherwise as the Tribunal may deem fit.

7. If a person willfully gives false evidence on oath before the Tribunal during the course of any proceeding, or willfully makes a false statement in any affidavit sworn for the purpose of any proceeding, the Tribunal may refer the matter to the Attorney-General of the Federation for such action as the Attorney-General may deem fit.

8. If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proved, the Tribunal:

(a) shall record on findings that the respondent is not guilty of such misconduct in respect of which the charge relates;

(b) may, nevertheless order any party (except the complainant) to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the Tribunal deems fit so to order.

9. Subject to section 12 (5) of this Bill (which relates inter alia to appeal, any finding or direction given by the Tribunal, is published in the Federal Gazette as soon as may be after the finding or directive takes effect.

10. (1) Notes of proceedings may be taken by any person appointed by the Tribunal and any party appearing at the proceedings is entitled to inspect the transcript when made.

(2) The Registrar shall supply to any person entitled to be heard upon an appeal against any finding or directive of the Tribunal, a copy of the transcript of such notes on payment of such charges as may be fixed by the Registrar.

(3) If, for any reason, a provision is not made for taking of notes, the Chairman shall take notes of the proceedings and the provisions of this rule as to inspection and taking of copies shall apply to any such notes made by the Chairman.

11. The Tribunal may dispense with any requirement of these rules as to notice, affidavits, documents, service or time for doing or omitting anything, in any case where it appears to the Tribunal to be just or expedient to do so and the Tribunal, in any particular case may extend the time for doing anything under these rules.

12. Books and other exhibits produced or used at the hearing shall, unless the Tribunal otherwise directs, be retained by the Registrar until the expiry of the time for filing an appeal against a finding or directive of the Tribunal or, if a notice of any appeal is given, until the hearing and disposal of the appeal.

Assessors

13. (1) An Assessor, when nominated in accordance with paragraph 4 (1) of the Third Schedule to this Bill shall be appointed by the Institute by instrument, and the Assessor shall hold and vacate office as provided in the instrument, and where the appointment is not a general one, it shall have effect only in respect of a particular meeting of the Tribunal.

(2) Subject to the terms of his appointment, an Assessor shall attend any meeting of the Tribunal as and when requested to do so by notice in writing given to him by the Registrar, not later than 3 days before the date appointed for the meeting, and he shall thereafter advise the Tribunal on question of law.

(3) The Tribunal shall:

(a) be the sole judge of facts offered in evidence, but in the event of mixed questions of fact and law, question of law shall be for the Assessor to advise on, in relation to evidence and procedure and matters specified by these rules; and

(b) confer with the Assessor on the advisability of hearing proceedings in private, unless already so advised in writing by the Attorney- General of the Federation.

(4) Where advice is rendered by an Assessor to the Tribunal otherwise than in the presence of all parties entering an appearance or as may be of their Counsel, the Assessor shall, as soon as may be thereafter, inform all parties to the proceedings entering an appearance as to the nature of the advice given and the reaction thereto of the Tribunal.

General

14. (1) Expression used in these rules have the same meaning as in the Bill.

(2) Where used in these rules:

"complainant" means a person or body alleging before the Tribunal professional misconduct against a member of the Institute; and

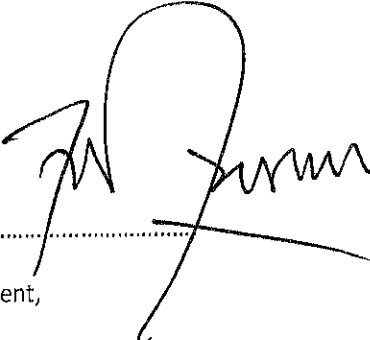
"respondent" means the person required to answer to any charge of professional misconduct.

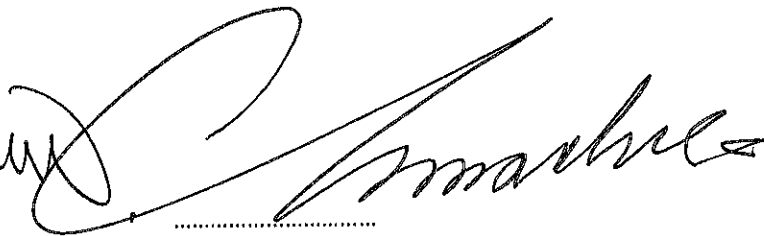
15. These rules may be cited as the Chartered Statisticians (Disciplinary Tribunal and Assessors) Rules.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Statisticians of Nigeria to determine what standards of knowledge and skill are to be attained by persons seeking to become members of the Institute.

THIS BILL WAS RECOMMENDED AND PASSED BY THE SENATE ON WEDNESDAY 30TH NOVEMBER, 2022


.....
President,
Senate of the Federal Republic of Nigeria


.....
Clerk,
Senate of the Federal Republic of Nigeria