

# A BILL

## FOR

AN ACT TO REPEAL THE ARCHITECTS REGISTRATION COUNCIL OF NIGERIA ACT, CAP. A19 LAWS OF THE FEDERATION OF NIGERIA 2004 AND ENACT THE ARCHITECTS REGULATION COUNCIL OF NIGERIA BILL, TO PROVIDE FOR THE REGULATION OF THE PROFESSION OF ARCHITECTURE BY THE COUNCIL; AND FOR RELATED MATERS

*Sponsored by Hon. Gideon Lucas Gwani*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria

1           1.-(1) There shall be established on the coming into force of this  
2 Act, a body to be known as the Architecture Regulation Council of Nigeria  
3 (hereafter in this Act referred to as "the Council") which shall be a body  
4 corporate by the name aforesaid and shall be charged with the general duty  
5 of:

Establishment  
of the Architecture  
Regulation Council  
of Nigeria

- 6           (a) Determining who is an Architect in meaning and connotation  
7 for the purposes of this Act;
- 8           (b) Determining what standards of knowledge and skill are to be  
9 attained by persons seeking to become registered as Architectural  
10 Practitioners in the fields and faculties of the architectural profession  
11 (henceforth in this Act referred to as "The Profession") and raising those  
12 standards from time to time as circumstances may permit;
- 13           (c) Regulating and controlling the training of architects and  
14 practice of The Profession in all its aspects and ramifications including but  
15 not limited to Architecture, Interior Design, Landscape Design, Urban  
16 Design, Marine Architecture, Aeronautical Architecture, Facility  
17 Management, Construction Project Management and Architectural  
18 Engineering concerning movable and immovable environment;

1 (d) Determining who to be considered eligible to engage or be  
2 engaged in the practice of The Profession as architect;

3 (e) Securing in accordance with the provisions of this Act, the  
4 establishment and maintenance of a register of persons entitled to practise the  
5 Profession and the publication from time to time of lists of those persons;

6 (f) Performing other functions conferred on the Council by this Act.

7 (2) Subject to the provisions of this Act, the Council shall consist of  
8 the following:

9 (a) Four persons, one of whom shall be a member of staff of the  
10 supervisory Ministry to represent the various interests in the fields of  
11 architecture who shall be appointed by the Minister;

12 (b) One person to represent each state of the Federation and the  
13 Federal Capital Territory, Abuja who shall be appointed by the Minister on the  
14 nomination of the Governor of the State and the Minister of the Federal Capital  
15 Territory respectively;

16 (c) Four persons, who shall represent the universities having  
17 accredited faculties of architecture on a rotational basis, so however that, no  
18 university shall have more than one representative at a time;

19 (d) Four persons, elected to represent professional associations  
20 recognised by the Council as contained in the schedule in the manner for the  
21 time being provided by the constitution of such professional associations.

22 To be considered eligible for consideration under this sub-section, a  
23 professional association, whether in existence prior to or after this Act has  
24 come into force, shall apply to the Council for recognition and if the Council is  
25 satisfied, the Council shall communicate the recognition to the professional  
26 association.

27 Provided that, a person shall not be appointed as a member of the Council  
28 unless he is and currently registered as an architect under this Act and at the  
29 date of his appointment he has been registered for a period of not less than ten  
30 years.

1 (3) The provisions of the First Schedule to this Act shall have effect  
2 with respect to the qualification and tenure of office of members of the  
3 Council, powers and procedure of the Council and the other matters there  
4 mentioned

5 2.-(1) The Council shall prepare and submit to the Minister not  
6 later than the 31st day of December of the year in which this subsection  
7 comes into force (so however for that year the Minister may, if he considers  
8 it necessary, extend the period) and of each subsequent year, an estimate of  
9 its expenditure and income during the next succeeding financial year.

Financial  
provisions

10 (2) The Council shall be on Budget Line of the Federal  
11 Government which shall be appropriated to the Council by the National  
12 Assembly.

13 (3) The Council shall keep proper records in respect of each  
14 financial year, and proper records in relation to those accounts, and shall  
15 cause its accounts to be audited as soon as may be after the end of the  
16 financial year to which the accounts relate by a firm of auditors approved, as  
17 respects that year by the Minister for Finance.

18 3.-(1) The Minister may, give to the Council directions of a general  
19 character or relating generally to particular matters (but not to any individual  
20 person or case) with regard to the exercise by the Council of its functions and  
21 it shall be the duty of the Council to comply with the directions.

Control of Council  
by Minister

22 (2) Before giving a direction under the foregoing subsection, the  
23 Minister shall serve a copy of the proposed direction on the Council and  
24 shall afford the Council an opportunity of making representations to him  
25 with respect to the direction; and after considering any representations made  
26 to him in pursuance of this subsection, the Minister may give the direction  
27 either without modifications, or with such modifications as appear to him to  
28 be appropriate having regard to the representations.

29 4. The Council shall have:

Structure of the  
Council

30 (a) an Administration Directorate to be headed by a Director, who

- 1 shall serve as the secretary of the Council;
- 2 (b) A Finance Directorate to be headed by a Director;
- 3 (c) a Planning, Research and Statistics Directorate to be headed by a  
4 Director;
- 5 (d) an Education Directorate to be headed by a Director;
- 6 (e) a Regulatory and Registration Directorate to be headed by a  
7 Director;
- 8 (f) an Inspectorate and Monitoring Directorate to be headed by a  
9 Director;
- 10 (g) such other Directorates as may be required for the proper  
11 performance of the functions of the Council.

Appointment of  
the Registrar and  
Other staff of the  
Council

- 12 5.-(1) It shall be the duty of the Council to appoint as the Registrar for  
13 the purposes of this Act, a fit and proper person having not less than ten years  
14 experience as a currently registered architect.
- 15 (2) The Registrar shall be:
- 16 (a) the chief executive of the Council;
- 17 (b) responsible for the day-to-day administration of the Council and  
18 keep the books and records of the Council;
- 19 (c) subject to the supervision and control of the President and the  
20 Council;
- 21 (d) The Registrar shall hold office for a period of four years on such  
22 terms and conditions as may be specified in his letter of appointment and be  
23 eligible for re-appointment for another period of five years;
- 24 (e) The Council may, from time to time, appoint such other persons as  
25 members of staff of the Council as it may deem necessary, to assist the Council  
26 in the performance of its functions under this Act;
- 27 (f) The members of staff of the Council appointed under subsection  
28 (e) of this section shall be appointed on such terms and conditions of service as  
29 the Council may, after consultation with the Federal Civil Service  
30 Commissions determine;

1 (g) The members of staff of the Council shall be public officers as  
2 defined in the Constitution of the Federal Republic of Nigeria, 1999.

3 6.-(1) Service in the Council shall be approved service for the  
4 purpose of the Pensions Act and, accordingly, officers and other persons Pension  
5 employed in the Council shall be entitled to pensions, gratuity and other  
6 benefits as are prescribed thereunder.

7 (2) Notwithstanding the provisions of subsection (1) of this  
8 section, the Agency may appoint a person to any office on terms which  
9 preclude the grant of a pension, gratuity or other retirement benefits in  
10 respect of that office.

11 *Financial provisions*

12 7.-(1) The Council shall establish a fund from which shall be Fund of the  
13 defrayed all expenditure incurred by the Council for the purposes of this Act. Council

14 (2) There shall be paid and credited to the fund of the Council:

15 (a) fees charged for services rendered by the Council;

16 (b) all sums accruing to the Council by way of gifts, endowments,  
17 bequests or other voluntary contributions by persons and organisations;

18 (c) subventions and budgetary allocations from the Federal  
19 Government.

20 8. The Council shall, from time to time, apply the funds at its Expenditure of  
21 disposal to: the Council

22 (a) the cost of establishing and maintaining the head office of the  
23 Council at the Federal Capital Territory, Abuja and its other offices located  
24 in other places in Nigeria;

25 (b) pay allowances and other benefits of members of the Council  
26 and of its committees;

27 (c) pay the emoluments and entitlement of the Registrar and other  
28 members of staff of the Council;

29 (d) pay the personnel, overhead, allowances, benefits and other  
30 administrative costs of the Council;

- 1 (e) the training of members of staff of the Council;
- 2 (f) provide scholarship and awards for specialised training of  
3 personnel;
- 4 (g) publicise and promote the activities of the Council;
- 5 (h) undertake any other activity in connection with all or any of the  
6 functions of the Council.

7 THE REGISTERS

Preparation and  
maintenance of  
the registers

8 9.-(1) It shall be the duty of the Registrar to prepare and maintain in  
9 accordance with rules made by the Council under this section:

10 (a) registers of the names, addresses and approved qualifications and  
11 such other particulars as may be specified, of all persons who are entitled in  
12 accordance with the provisions of this Act to be registered as architects and  
13 practitioners in architecture; and who apply in specified manner to be so  
14 registered;

15 (b) a register with particulars of architectural firms eligible to practice  
16 under the provisions of this Act.

17 [1990 No. 43.]

18 (2) The register of architects (in this Act referred to as "the register")  
19 shall consist of Four (4) parts of which one shall be in respect of fully registered  
20 persons (Fully Registered Architect -F) entitled to practise as principals and the  
21 other in respect of provisionally registered persons:

22 (ii) Provisionally Registered Architect 2-(P2), Provisionally  
23 Registered Architect -I(P1),

24 (iii) Provisionally Registered Architectural Technologist-(P  
25 TECHNOLOGIST),

26 (iv) Provisionally Registered Architectural Technician-(P  
27 TECHNICIAN),

28 (3) Subject to the following provisions of this section, the Council  
29 shall make rules with respect to form and keeping of the registers and the  
30 making of entries therein, and in particular:

1 (a) regulating the making of applications for registration and  
2 providing for the evidence to be produced in support of applications;

3 (b) providing for the notification to the Registrar, by the person to  
4 whom any registered particulars relate, of any change in those particulars;

5 (c) authorising a registered person to have any qualification which  
6 is registered in relation to his name in addition to or, as he may elect, in  
7 substitution for any other qualifications so registered;

8 (d) specifying the fees to be paid to the Council in respect of the  
9 entry of names on the registers and authorising the Registrar to refuse to  
10 enter a name on a register until any fee specified for the entry has been paid;

11 (e) relating to the issuance of practicing licence and the annual  
12 renewal of validity, the conditions to be fulfilled before such renewal and the  
13 fees to be paid;

14 (g) Specifying anything failing to be specified under the foregoing  
15 provisions of this section but rules made for the purposes of paragraph (d) of  
16 this subsection shall not come in force until approved by the Council and are  
17 confirmed by order of the Minister.

18 (4) It shall be the duty of the Registrar:

19 (a) To correct, in accordance with the Councils directions, any  
20 entry in a register which the Council directs him to correct as being in the  
21 Councils opinion an entry which was incorrectly made;

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

24 (c) To suspend from the relevant part of the register any registered  
25 person whose annual renewal of validity has lapsed and for such period of  
26 suspension he shall be deemed not to be registered to practice The  
27 Profession. Such period of suspension shall not count in the cumulative  
28 years of practice in the Profession;

29 (d) To remove, from the relevant register of Architectural  
30 practitioners, all particulars relating to persons registered improperly out of

1 misinformation, expiration of resident permits or any other grounds;

2 (e) To remove from the relevant part of the register the name of any  
3 registered person who has died, or as the case may be, has ceased to be entitled  
4 to be provisionally registered;

5 (f) To remove, from the appropriate register, any person who, after  
6 due inquiry, is adjudged by the Council to have been guilty in his professional  
7 capacity of infamous conduct, unprofessional acts of commission or omission,  
8 gross negligence or incompetence; or

9 (g) To remove from the appropriate register, any person who is  
10 convicted of any criminal offence which, in the opinion of the Council, renders  
11 him unfit to practice.

12 (5) If the Registrar:

13 (a) Sends by post or courier to any registered person, a registered  
14 letter addressed to him at his address on the register, enquiring whether the  
15 registered particulars relating to him are correct and receives no reply to the  
16 letter within the period of three months from the date of posting it;

17 (b) Upon the expiration of that period, sends in like manner to the  
18 person in question a second similar letter and receives no reply to that letter  
19 within three months from the date of posting it;

20 (c) The Registrar may, remove the particulars relating to the person in  
21 question from the relevant part of the register, and the Council may direct the  
22 Registrar to restore to the appropriate part of the register any particulars  
23 removed therefrom under this subsection.

Publication of  
registers and lists  
of corrections

24 **10.-(1)** It shall be the duty of the Registrar:

25 (a) to cause a list of persons whose names and qualifications are  
26 indicated in the register to be printed, published, and put on sale to members of  
27 the public not later than two years from the beginning of the year in which this  
28 subsection comes into force;

29 (b) in each year after that in which a register is first published under  
30 paragraph (a) of this subsection, to cause to be printed, published and put on



1 sale as aforesaid either a corrected edition of the register or a list of  
2 alterations made to the register since it was last printed; and

3 (c) to cause a print of each edition of the register and of each list of  
4 corrections to be deposited at the principal offices of the Council, and it shall  
5 be the duty of the Council to keep the register and lists so deposited open at  
6 all reasonable times for inspection by members of the public.

7 (2) In addition, the Registrar shall cause to be published a list of  
8 persons qualified as architects but not entitled to practise as principals.

9 (3) A document purporting to be a print of an edition of a register  
10 published under this section by the authority of the Registrar in the current  
11 year, or documents purporting to be print of an edition of a register so  
12 published in a previous year and of a list of corrections to that edition so  
13 published in the current year, shall (without prejudice to any other mode of  
14 proof) be admissible in any proceedings as evidence that any person  
15 specified in the document, or the documents read together, is exempted or as  
16 the case may be, as being fully or provisionally registered, and that any  
17 person not so specified is not so exempted or registered. Similarly, shall be  
18 admissible in any proceedings as evidence that any firm specified in the  
19 document, or the documents read together, is exempted or as the case may  
20 be, as being registered, and that any firm not so specified is not so exempted  
21 or registered.

22 (4) Wherever the term published or publication is used in this  
23 Section, a publication in the official website of the Council shall be deemed  
24 to have satisfied the provisions of this Section.

#### 25 REGISTRATION

26 11.-(1) Subject to the provisions of this Act and to rules made under  
27 section 5 of this Act a person shall not be entitled to be fully or provisionally  
28 registered under this Act as an architect and Architectural Practitioners and,  
29 when so registered, to practice as such unless:

30 (a) he has attended a professional course of training of an

1 accredited Faculty programme in an institution approved by the Council under  
2 section 5 of this Act;

3 (b) the course was conducted at an institution so approved, or partly at  
4 one such institution and partly at another or others; and

5 (c) he holds a professional qualification so approved.

6 (2) Registration in the first instance shall be provisional, unless the  
7 Council in its discretion authorize authorises full registration of an applicant.

8 (3) Subject as aforesaid, if in the case of an applicant under section  
9 8(2) or (3) of this Act, he satisfies the Council on all matters on which the  
10 Council requires to be satisfied that he is a fit and proper person, the applicant  
11 may likewise be provisionally or fully registered in pursuance of subsection (2)  
12 above.

13 (4) Subject as aforesaid, a person shall be entitled to be fully  
14 registered, if being a citizen of Nigeria or a person within section 8 (2) or (3) of  
15 this Act, he satisfies the Council:

16 (a) as to his experience for the purposes of section 11 (1) of this Act;

17 (b) that he is of good character;

18 (c) that he has passed the professional practice competence  
19 examination conducted by the Institute; Council;

20 (d) that his qualifications as an architect are for the time being  
21 accepted by Council for the purposes of this subsection as respects the  
22 profession of an architect; and save where section 8 (3) of this Act applies;

23 (e) that where a qualification was acquired outside Nigeria, the  
24 applicant for registration under this Act was under no legal disability in the  
25 practice of architecture, and if the Council so requires, that he has sufficient  
26 practical experience in the profession of an architect, and the Council shall  
27 from time to time publish in the Federal Gazette, particulars of qualifications  
28 for the time being accepted as aforesaid.

29 (5) A fully registered architect shall be entitled to an ARCON Security  
30 seal from the Council, but any stamp ARCON Security seal presented in

1       pursuance of this subsection may be withdrawn by the Council from any  
2       member on:

- 3               (a) being suspended in accordance with Section 5 (c) above for the  
4       period of suspension;
- 5               (b) his ceasing to become a registered member;
- 6               (c) being convicted of an offence under this Act;
- 7               (d) disciplinary grounds.

8                               [1990 No. 43.]

9               (6) A fully registered Architect shall comply with ARCON  
10       Professional Verification Requirements (APVR) for project  
11       implementation of building and facility designs/projects including ARCON  
12       Security stamps, ARCON Security Seal and ARCON Project Registration  
13       Number (APRN), as may be stipulated by the Council from time to time.

14              (7) The Council may, with the approval of the Minister, impose  
15       further conditions for purposes of any registration under this Act, but such  
16       conditions shall not come into force until published in the Gazette.

17              12.-(1) The Council shall exercise its power to regulate and control  
18       the professional practices of persons, firms and corporate bodies registered  
19       to practice under this Act.

Power to control  
Architects and  
Architectural  
Practices

20              (2) The Council shall have control over the professional conduct of  
21       all architects and architectural practitioners in the performance of their  
22       professional obligations both in public and private practice.

23              (3) All architects practicing in Nigeria, whether local or foreign,  
24       shall be subject to the Code of Professional Conduct enacted by the Council  
25       from time to time, pursuant to this Act.

26              13.-(1) Subject to subsection (2) of this section, the Council may  
27       approve for the purposes of section 7 of this Act:

Approval of courses,  
qualifications and  
institutions

28              (a) any professional course of training which is intended for  
29       persons who are seeking to become, or are already qualified as, architects,  
30       Architectural Technologists and Architectural Technicians;

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

5           (c) any qualification which, as a result of examination taken in  
6     conjunction with a professional course of training approved by the Council  
7     under this section, is granted to candidates reaching a standard at the  
8     examination indicating, in the opinion of the Council, that they have sufficient  
9     knowledge and skill to practice architecture as a profession, otherwise than as a  
10    principal.

11          (2) Approved Qualifications for provisionally registered  
12     Architectural Technologists (P-Technologist) and provisionally registered  
13     Architectural Technicians (P-technician):

14           (a) Provisionally Registered Architectural Technologist:  
15     Higher National Diploma (HND) or it equivalents in architecture or  
16     architectural technology awarded after a minimum total of five (5) years full-  
17     time course, inclusive of the periods of Students Industrial Work Experience  
18     and Post-National Diploma Industrial Training (SIWES/IT) from any of the  
19     Nigeria's Polytechnics or Colleges recognized and approved by the Council;

20           (b) Provisionally Registered Architectural Technician National  
21     Diploma (NO) or it equivalents in architecture or architectural technology  
22     awarded after a minimum total of two (2) years full-time course, inclusive of  
23     the periods of Students Industrial Work Experience (SIWES) from any of the  
24     Nigeria's Polytechnics or Colleges recognized and approved by the Council.

25          (3) Qualification Requirements For Registration as Provisionally  
26     Registered Architectural Technologists (P-Technologist) and Provisionally  
27     Registered Architectural Technicians (P-technician) who shall essentially  
28     function under the supervision and direction of Fully Registered Architect  
29     under this Act:

30           (a) General Requirements to all classes/categories;

1 (b) WASC/G.C.E./SSCE (Ordinary level) certificate or its  
2 equivalent to include Mathematics, Physics, English Language and any  
3 other two subjects but preferably chosen from Fine Arts, Chemistry,  
4 Economics and Geography.

5 (ii) Evidence of good conduct and or character certification.

6 (b) Provisionally Registered Architectural Technologists (P-  
7 Technologist);

8 (c) Higher National Diploma (HND) or it equivalents in  
9 Architecture or Architectural Technology with a minimum of two (2) years  
10 post-academic qualification cognate practical working experience; or

11 (ii) National Youth Service Corps Discharge or Exemption  
12 Certificate or verifiable evidence of Exclusion from National Youth Service  
13 Corps;

14 (iii) Evidence of having passed the prescribed Council's  
15 Competence Examinations or Evaluations (if and where applicable  
16 according to guideline approved by the Council).

17 (c) Provisionally Registered Architectural Technicians (P-  
18 Technician);

19 (d) National Diploma (NO) or it equivalents in Architecture or  
20 Architectural Technology with a minimum of two (2) years post-academic  
21 qualification cognate practical working experience.

22 (ii) Evidence of having passed the prescribed Council's  
23 Competence Examinations or Evaluations (if and where applicable  
24 according to guideline approved by the Council).

25 (4) Publication Of Approved Courses

26 The Council shall from time to time publish in the Federal Gazette, a list of  
27 qualifications in The Profession approved by it, and subject thereto, the  
28 Council shall not approve for the purposes of subsection (1) of this section, a  
29 qualification granted by an Institution in Nigeria unless the qualification has  
30 been so published by the Council.

1 (5) Withdrawal Of Approval By Council

2 The Council may, upon the recommendation of the Institute, withdraw any  
3 approval given under this section in respect of any course, qualification or  
4 institution; but before withdrawing such an approval the Council shall:

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

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

10 (c) take into consideration any representations made as respects the  
11 proposal in pursuance of the last foregoing paragraph.

12 (6) As respects any period during which the approval of the Council  
13 under this section for a course, qualification or institution is withdrawn, the  
14 course, qualification or institution shall not be treated as approved under this  
15 section; but the withdrawal of such an approval shall not prejudice the  
16 registration or eligibility for registration of any person who by virtue of the  
17 approval was registered or eligible for registration (either unconditionally or  
18 subject to his obtaining a certificate of professional competence) immediately  
19 before the approval was withdrawn

20 (7) The giving or withdrawal of an approval under this section shall  
21 have effect from such date, either before or after the execution of the  
22 instrument signifying the giving or withdrawal of the approval, as the Council  
23 may specify in that instrument; and the Council shall:

24 (a) as soon as may be possible, publish a copy of every such  
25 instrument in the Federal Gazette; and

26 (b) not later than seven days before its publication as aforesaid, send a  
27 copy of the instrument to the Minister.

28 14.-(1) It shall be the duty of the Council to keep itself informed of the  
29 nature of:

30 (a) the instruction given to persons attending accredited course and

1 programmes of training;

2 (b) the examinations as a result of which approved qualifications  
3 are granted, and for the purposes of performing that duty; and

4 (c) the Council shall appoint, either from among its own members  
5 or otherwise, other fully registered architects to visit approved institutions  
6 and to attend such examinations on accredited programmes.

7 (2) It shall be the duty of the Institute Council under this subsection  
8 to keep itself informed on:

9 (a) the adequacy of the instruction given to persons attending  
10 accredited courses and programmes of training at institutions visited;

11 (b) the adequacy of the examination undertaken;

12 (c) the adequacy of the process of determining successful  
13 graduates from the institution including but not limited to juries; and

14 (d) any other matters relating to the institution or examination on  
15 which the Council may, either generally or in a particular case, request the  
16 Institution to report, but the Council shall not interfere with the giving of  
17 any instruction or the holding of any examination.

18 (3) On receiving a report made in pursuance of this section, the  
19 Council shall as soon as may be possible, send a copy of the report to the  
20 person appearing to the Council to be in charge of the institution or  
21 responsible for the examinations to which the report relates, requesting that  
22 person to make observations on the report to the Council within such period  
23 as may be specified in the request, not being less than one month beginning  
24 with the date of the request.

25 (4) The Council shall reserve the right to refuse to accept any  
26 graduates from an institution that fails to comply with sections (1) and (2) of  
27 this Article either by acts of commission or omission.

28 15.-(1) Any person who, having qualified by examinations from an  
29 accredited school is entitled to be recognised under the provisional stage two  
30 category and any person so recognised shall not be promoted beyond the

1 rank of a Chief architect until full registration.

2 (2) Any person who, having qualified by examination from an  
3 accredited school having been registered provisionally, will file with his  
4 application for full registration a certificate of Architects Professional  
5 Competency Evaluation issued by the Council after passing the prescribed  
6 competency evaluation.

7 (3) The prescribed conditions aforesaid in (2) above are:

8 (a) he shall, during his employment after qualification as aforesaid,  
9 have acquired practical experience under the personal supervision and  
10 guidance of one or more fully registered architect for the period of two years;  
11 and

12 (b) the manner in which he carried out the duties of his employment  
13 and his conduct during the period of his employment shall have been  
14 satisfactory.

15 (4) It shall be the duty of the employer being a fully registered  
16 architect supervising the work of persons employed by him to:

17 (a) ensure that the person is afforded proper opportunities of  
18 acquiring the practical experience required for the purposes of paragraph (a) of  
19 subsection (2) of this section;

20 (b) provide such person employed by him with the prescribed  
21 documents for presentation to the Council; and

22 (c) It shall be an offence to deny persons employed the requirement  
23 specified in (a) and (b) above.

24 (5) In the conduct of the prescribed Architects Professional  
25 Competency Evaluation for full registration, the Council shall:

26 (a) Assess the applicants' logbooks/portfolios for eligibility for the  
27 competency evaluation;

28 (b) Approve the trainers and examiners;

29 (c) Approve the list of successful candidates as recommended by the  
30 Education Committee.



1 (6) Where after having completed the period mentioned in  
2 paragraph (a) of subsection (3) of this section, any person affected applies  
3 for and is refused a certificate of professional competence, he shall be  
4 entitled to appeal directly to the Council, for a review.

5 (7) Where an appeal is allowed under subsection (4) of this section,  
6 the Council shall forthwith issue the certificate of professional competence.

#### 7 PROFESSIONAL DISCIPLINE

8 16.-(1) There shall be a tribunal, to be known as the Architects  
9 Disciplinary Tribunal (in this Act referred to as *lithe* Tribunal"), which shall  
10 be charged with the duty of considering and determining any case referred to  
11 it by the panel established by the following provisions of this section and any  
12 other case of which the Tribunal has cognizance under the following  
13 provisions of this Act.

Establishment  
of Disciplinary  
Tribunal and  
Investigating Panel

14 (2) The Tribunal shall consist of the President of the Council and  
15 eleven other members of the Council appointed by the Council, and shall  
16 include not less than four members of the Council holding office by virtue of  
17 paragraph (d) of subsection (2) of section 2 of this Act, or, where the number  
18 of those members is for the time being less than four, all those members.

19 (3) There shall be a body to be known as the Architects  
20 Investigating Panel (in this Act referred to as *lithe* Panel"), which shall be  
21 charged with the duty of:

22 (a) conducting a preliminary investigation into any case where it is  
23 alleged that a person fully or provisionally registered has misbehaved in his  
24 capacity as an architect, or should for any other reason be the subject of  
25 proceedings before the Tribunal; and

26 (b) deciding whether the case should be referred to the Tribunal.

27 (4) The Panel shall be appointed by the Council and shall consist of  
28 seven members of the Council and two fully registered architects who are  
29 not members of the Council.

30 (5) The provision of the Second Schedule to this Act shall, so far as

1 applicable to the Tribunal and the Panel respectively; have effect with respect  
2 to those bodies.

3 *(Second Schedule.)*

Penalties for  
Unprofessional  
Conduct, etc.

4 17.-(1) Where:

5 (a) a person registered under this Act is convicted of any offence by  
6 any court or tribunal in Nigeria or elsewhere being a court having power to  
7 sentence a person to a term of imprisonment for an offence (whether or not  
8 punishable with imprisonment) and the Tribunal is of the opinion that the  
9 commission of the offence is incompatible with the status of an Architect; or

10 (b) a registered person is adjudged by the Tribunal to be guilty of  
11 infamous conduct in a professional respect; or

12 (c) the Tribunal is satisfied that the name of any person has been  
13 fraudulently registered the Tribunal may:

14 (i) if it thinks fit, give a direction ordering the registrar to strike the  
15 person's name off the relevant part of the register; or

16 (ii) suspend that person from practice by ordering him not to engage  
17 in practice as an Architect for such period not exceeding 24 months as may be  
18 specified in the direction; or

19 (iii) reprimand him, and any such direction may where appropriate  
20 include provision requiring the refund of moneys paid or the surrender of  
21 documents or any other thing as the circumstances of the case may require.

22 (2) Where a registered person is judged by the Tribunal to be guilty of  
23 misconduct not amounting to infamous conduct, which in the opinion of the  
24 Council is incompatible with the status of an Architect, the Tribunal may, if it  
25 thinks fit, give such direction as is authorised by sub-paragraph (ii) or (iii) of  
26 subsection (1) of this section and such direction may where appropriate, include  
27 provision requiring the refund of moneys paid or surrender of documents or  
28 any other thing as the circumstances of the case may require.

29 (3) The Tribunal may, if it thinks fit, defer or further defer its decision  
30 as to the giving of a direction under subsection (1) of this section, until a

1 subsequent meeting of the tribunal; but:

2 (a) no decision shall be deferred under this subsection for periods  
3 exceeding two years in the aggregate; and

4 (b) no person shall be a member of the Tribunal for the purposes of  
5 reaching a decision which has been deferred or further deferred, unless, he  
6 was present as a member of the Tribunal when the decision was deferred.

7 (4) For the purposes of subsection (1) of this section, a person shall  
8 not be treated as convicted as mentioned in paragraph (a) of that subsection,  
9 unless the conviction stands at a time when no appeal or further appeal is  
10 pending or may (without extension of time) be brought in connection with  
11 the conviction.

12 (5) When the Tribunal gives a direction under subsection (1) of this  
13 section, the Tribunal shall cause notice of the direction to be served on the  
14 person to whom it relates.

15 (6) The person to whom such a direction relates may, at any time  
16 within twenty-eight days from the date of service on him of the notice of the  
17 direction, appeal against the direction to the Court of Appeal; and the  
18 Tribunal may appear as respondent to the appeal and, for the purpose of  
19 enabling directions to be given as to the costs of the appeal and of  
20 proceedings before the Tribunal, shall be deemed to be a party thereto  
21 whether or not it appears on the hearing of the appeal.

22 (7) A direction of the Tribunal under subsection (1) of this section  
23 shall take effect:

24 (a) where no appeal under this section is brought against the  
25 directions within the time limit for the appeal, on the expiration of that time;

26 (b) A foreign architectural firm shall not be permitted to  
27 collaborate or provide services in Nigeria without the material participation  
28 of a registered Nigerian architectural firm whose partner(s) are fully  
29 registered Nigerian citizens and hold a current registration in good standing  
30 under this Act. This provision shall apply to the submission of entries in

1 international competitions by eligible foreign architectural firms. Should that  
2 foreign architectural firm's competition submittal be selected, it shall be  
3 required to collaborate with a registered Nigerian architectural firm whose  
4 partner(s) are fully registered/licensed/certified Nigerian citizens and hold a  
5 current registration in good standing under this Act;

6 (c) All Professional services rendered shall jointly and severally be  
7 rendered by both the registered Nigerian architectural firm whose partner(s)  
8 are fully registered Nigerian citizens and hold a current registration in good  
9 standing and involved in the project;

10 (d) The foreign architectural firm shall collaborate with a registered  
11 Nigerian architectural firm whose partner(s) are fully registered Nigerian  
12 citizens and hold a current registration in good standing under this Act and shall  
13 take full responsibility from inception to completion of the project. The  
14 Nigerian architectural firm whose partners are fully registered shall provide  
15 written statement to council identifying the foreign architectural firms role in  
16 clear stated M.O.U approved, deposited for which a written approval shall be  
17 issued by the council. Such approval shall be renewable annually.

18 (e) The [foreign] architectural firm must use the title: "[X], a foreign  
19 architectural firm, in collaboration with (V), a registered Nigerian architectural  
20 firm whose partner(s) are fully registered holds a current registration in good  
21 standing under this Act;

22 (f) In any case, no foreign firm shall be allowed to engage in the  
23 practice of architectural profession in Nigeria without work permit, without  
24 registration and practice licence by the Council. The Council shall in this  
25 regard, ensure compliance with the provisions of the Act and any other policy  
26 guidelines that may be issued as may be required from time to time, for the  
27 effective and efficient control of the practice of the architectural profession;

28 (g) In line with the above objectives, the Council shall take  
29 appropriate action on any breach of the provisions of this clause;

30 (h) Remuneration must be in accordance with the Conditions of

1 Engagement, Charges and Agreement for the Professional Architect and the  
2 sharing shall be in the ratio of 70/30 in favour of the Nigerian Architect or  
3 architectural firm.

4 19.-(1) Unless otherwise authorised or exempted under this Act, a  
5 person shall not hold an appointment in the public service of the Federation  
6 or a State or in the armed forces of the Federation requiring status as an  
7 architect or Architectural Practitioner unless he has been registered in  
8 accordance with this Act.

Miscellaneous  
Supplementary  
Provisions

9 (2) An architect or Architectural Practitioner under this Act shall,  
10 but to the extent only of his particular qualifications, be entitled to practise as  
11 an architect or Architectural Practitioner throughout the Federation.

12 (3) It shall be the duty of the person in charge of each University  
13 having attached thereto a Faculty / Department of Architecture in the  
14 Federation at which there is held a course of training or programmes  
15 intended for persons who are seeking to become architects or Architectural  
16 Practitioner under this Act, to furnish to the Registrar, not later than the  
17 thirty-first day of March in every year, a list of:

18 (a) the names of all the students with full particulars,  
19 (b) the names of all the staff/lecturers with full particulars,  
20 (c) all facilities associated therewith, and of such other particulars  
21 as the Council may by order specify, of all persons who attended any such  
22 course at the institution in question at any time during the preceding year.

23 (4) A provisionally registered architect shall:

24 (a) not hold a professional responsibility for any domestic building  
25 project;

26 (b) not undertake any building/facility, except under the  
27 supervision of a fully registered architect.

28 (5) The requirement that only registered Nigerian architectural  
29 firm whose partner(s) are fully registered under this Act are engaged for the  
30 design, construction/contract administration services of a building/facility.

1 (a) Anybody who proceeds to have designed, constructed any  
2 building/facility shall be deemed to have engaged himself/herself in the  
3 practice of architecture unless he/she has employed a registered Nigerian  
4 architectural firm whose partner(s) are fully registered under this Act to  
5 perform the design, construction/contract administration services, including:

- 6 (i) designing the building/facility,  
7 (ii) periodic site visits,  
8 (iii) shop drawing review, and  
9 (iv) reporting to the owner and development control officials any  
10 violations of codes or substantial deviations from the contract documents  
11 which the architect observed.

12 (b) It shall be the obligation of the registered Nigerian architectural  
13 firm, whose partner(s) are fully registered under this Act to report to the  
14 Council and to the Development Control official in their locality if it is not  
15 engaged to provide construction/ contract administration services described in  
16 Paragraph (5a).

17 (6) In this section "public service" includes service as a registered  
18 engineering practitioner in or with any institution or corporation (Federal or  
19 State) or State-owned company while private sector includes all non-  
20 governmental organisations.

## Offences

21 20.-(1) It shall be an offence to be involved in any act contrary to the  
22 provisions of Articles 16 and 17 of this Act.

23 (2) Anybody, firm or body corporate not registered under this Act to  
24 practice Architecture and embarks on building and/ or facility development(s)-  
25 shall be guilty of an offence.

26 (3) Subject as aforesaid, anybody on the provisional register shall  
27 function only under the supervision of a fully registered architect otherwise he-  
28 shall be guilty of an offence under this Act.

29 (4) If any person, for the purpose of procuring the registration of any  
30 name, qualification or pursuant to any other matter:

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

3 (b) recklessly makes a statement which is false in a material  
4 particular, he shall be guilty of an offence

5 (5) If the Registrar or any other person employed by the Council  
6 wilfully makes any falsification in any matter relating to the register, he shall  
7 be guilty of an offence.

8 (7) Anybody, firm or body corporate registered under this Act to  
9 practice Architecture in Nigeria who fails to disclose the documentation for  
10 working in collaboration with a foreign national, person, firm or body  
11 corporate, to the Council shall be guilty of an offence. The foreign national,  
12 person, firm or body corporate shall also be guilty of an offence.

13 (8) A person guilty of an offence under this section shall be liable:

14 (a) on conviction in the Federal High Court to a fine not exceeding  
15 N1,000,000 or not less than N500,000 or to imprisonment for a term not  
16 exceeding two years or to both such fine and imprisonment.

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

24 (a) A firm or body corporate guilty of an offence under this section  
25 shall be liable:

26 (i) on conviction in the Federal High Court to a fine of  
27 N10,000,000.00 or deregistered and barred or both for not less than 2 years  
28 or not more than 5 years and that the partner(s) or director(s) shall not be  
29 eligible to incorporate or register another firm or body corporate during this  
30 period.

1 (10) Prosecution for an offence committed under this Act shall be  
2 conducted in the name of the Council by any of its authorised officers.

3 (11) Without prejudice to the other provisions of this Act, offences  
4 under this Act shall be triable in the Federal High Court.

5 (12) The Council has the right and is obligated to verify, investigate  
6 and enter any site where a fully registered Architect/Firm is engaged or should  
7 be engaged under this Act to carry out construction of buildings and facilities.  
8 Absence of a fully registered architect or firm on the project shall constitute an  
9 offence under this Act.

10 (13) Prosecuting any person(s) or firm(s) in contravention of any of  
11 the provisions of this Act in a Court of competent jurisdiction.

Regulations,  
Rules and Orders

12 21.-(1) Any power to make regulations, rules or orders conferred by  
13 this Act shall include power to make:

14 (a) provisions for such incidental and supplementary matters as the  
15 authority making the instrument considers expedient for the purposes of the  
16 instrument; and

17 (b) different provisions for different circumstances;

18 (c) provisions for the control of the practise of profession of  
19 Architecture in the building and construction industry, including rules at to the  
20 registration with the Council.

21 (2) The Council shall establish a department to be known as the  
22 Architecture Regulations Monitoring, Compliance and Enforcement  
23 Department (ARMCED) which shall be charged with the duties of monitoring  
24 firms and Architectural practitioners at ensuring that Architecture profession is  
25 practiced in Nigeria in accordance with relevant ethics and codes of  
26 professional practice, in the protection of her development, economic  
27 investment and public good;

28 (a) The ARMCED shall be constituted by the Council and shall  
29 consist of team of registered Architectural practitioners from the architectural  
30 professional fields and cadres;



1           (b) The ARMCED team shall have access to an building project  
2 site, manufacturing, architectural training institutions and faculties or any  
3 site where architecture is being practiced.

4           (3) In the performance of the function as stated in this section, any  
5 training Institution, manufacturing or architectural firm, building and  
6 construction company or person or group of persons who obstructs or  
7 threatens violence to any or on any member, commits an offence and is liable  
8 on conviction to:

9           (a) in the case of company, firms or institutions a fine of  
10 N2,000,000.00; and

11           (b) in the case of an individual, a fine of N500,000.00 or  
12 imprisonment for a term of six months.

13           (4) Power to compile list of establishments, etc.

14           (1) The Council shall have power to compile the list of  
15 establishments which maintain adequate facilities for the training and  
16 practice of architectural personnel:

17           (a) In pursuance of the provisions of subsection (1) of this section,  
18 the Council shall have the power to inspect approved establishments to  
19 confirm, from time to time, the adequacy of facilities within the approved  
20 establishments;

21           (b) The Council shall provide facilities for the monitoring of the  
22 post- qualification training including the payment of honoraria and  
23 expenses to inspectors and other resource-persons;

24           (c) The Council shall promote and update practitioners of the  
25 Architectural profession through continuing Professional Development  
26 Programmes.

27           (2) In pursuance of the provisions of subsection (1) of this section,  
28 the Council shall have the power to inspect approved establishments to  
29 confirm, from time to time, the adequacy of facilities within the approved  
30 establishments.

1 (3) The Council shall provide facilities for the monitoring of the post-  
2 qualification training including the payment of honoraria and expenses to  
3 inspectors.

4 (4) The Council shall promote and update practitioners of the  
5 engineering profession through continuing education

Use of appellation  
of "architect"

6 22. Subject to the provisions of this Act, a person shall not prepare or  
7 take full responsibility for the design, erection, alteration, repair, maintenance,  
8 supervision or commissioning of buildings, facility and landscape, movable  
9 and immovable environment or practice or carry on business under any name,  
10 style or title containing the word "architect" unless he is a Nigerian citizen and  
11 fully registered under this Act.

Repeal of Architects  
Registration Council  
of Nigeria Act,  
Cap. A19 LFN  
2004

12 23. The Architects Registration Council of Nigeria Act, Cap. A19  
13 Laws of the Federation of Nigeria 2004 is repealed.

Transitional and  
savings provisions

14 24.-(1) anything made or done or having effect before the  
15 commencement of this Act by the Architects Registration Council of Nigeria  
16 Act, Cap. A19 Laws of the Federation of Nigeria 2004, which have any  
17 resulting or continuing effect, shall be treated as from the commencement of  
18 this Act, as if it were made or done by the Architects (Regulation, etc.)  
19 Council of Nigeria.

20 (2) From the commencement of this Act, any staff or officer who  
21 immediately before the commencement of this Act, holds office in the  
22 Architects Registration Council of Nigeria Act, Cap. A19 Laws of the  
23 Federation of Nigeria 2004 existing before the commencement of this Act, is  
24 deemed to have been transferred to the Architects (Regulation, etc.) Council,  
25 established under this Act on such terms and conditions no less favourable than  
26 those obtaining immediately before the commencement of this Act.

27 (3) Service or employment in any Department of the Council is  
28 deemed to be service or employment in the College established under this Bill.

- 1                   25. In this Act, unless the context otherwise requires:
- 2           "approved" means for the time being approved by the Council under section
- 3           9 of this Act;
- 4           "approved architectural qualification" means a qualification which is
- 5           approved by the Council under this Act;
- 6           "architect" means any person professionally registered under this Act.
- 7           "architecture" means the art and science in theory and practice of design,
- 8           erection, commissioning, maintenance and management and co-ordination
- 9           of allied professional inputs thereto of buildings, or part thereof and the
- 10          landscaping, layout and master plan of such building or groups of buildings
- 11          forming a comprehensive institution, establishment or neighbourhood as
- 12          well as any other organised space, enclosed or opened, required for human
- 13          and other activities;
- 14          "architecture" means the art and science in theory and practice of design,
- 15          erection, commissioning, maintenance, management, alteration, repair,
- 16          supervision, construction, facility management, movable and immovable
- 17          environment, and co-ordination of allied professional inputs thereto of
- 18          buildings, or part thereof and the landscaping, layout and master plan of
- 19          such building or groups of buildings forming a comprehensive institution,
- 20          establishment or neighbourhood as well as any other organised space,
- 21          enclosed or opened, required for human and other activities;
- 22          "Certificate of experience" means a certificate granted in pursuance of
- 23          section 11 of this Act;
- 24          "Council" means the Council of Nigeria established by section 2(1) of the
- 25          Act;
- 26          "Minister" means the Minister charged with responsibility for architecture;
- 27          "Panel" has the meaning assigned to it by section 12(3) of this Act;
- 28          "Prescribed" means prescribed by regulations made under this Act;
- 29          "register" means the register maintained under this Act;

1 "Registrar" means the Registrar appointed in pursuance of section 5 of this Act;

2 "regulations" means regulations made by the Minister;

3 "Tribunal" has the meaning assigned to it by section 12(1) of this Act;

4 (2) References in this Act to employment by a Government, include  
5 references to employment by any statutory corporation or State owned  
6 company.

7 (3) For the purposes of this Act:

8 (a) a person is fully registered, holds a current registration in good  
9 standing if his name is for the time being entered in the part of the register  
10 maintained in respect of architects, entitled to practise as principals; and

11 (b) a person is provisionally registered, if his name is for the time  
12 being entered in the other part of that register. and "fully registered" and  
13 "provisionally registered" shall be construed in accordance with paragraphs (a)  
14 and (b) of this subsection.

15 Any approval, consent, direction, notice, observation, report, representation or  
16 request authorised or required to be given or made by or under this Act shall be  
17 in writing and may, without prejudice to any other method of service but  
18 subject to the provisions of rules made under the Second Schedule of this Act,  
19 be served by post.

20 26. This Bill may be cited as the Architects (Regulation, etc.) Council  
21 of Nigeria Bill, 2021.

1

## SCHEDULES

2

## FIRST SCHEDULE

3

## Section 2(3)

4

## SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5

*Qualifications and Tenure of Office of Members*

6

1.-() Subject to the following provisions of this paragraph, a member of the Council shall hold office for a period not exceeding three years beginning with the date of his appointment, so however that, the term of his office shall not be less than two years, and any period in excess shall be fixed by the Council after consultation, where necessary, with the Minister.

11

(2) Any member of the Council may, by notice in writing to the Council, resign his office.

12

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(3) A person who ceases to be a member of the Council shall be eligible again to become a member of the Council.

14

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(4) Where a member of the Council ceases to hold office before the date when his tenure of office would have expired by effluxion of time, the body or person by whom he was appointed shall, as soon as may be, appoint a person to fill the vacancy for the residue of the term aforesaid, so however provisions of this sub-paragraph shall not apply where a member of the Council ceases to hold office at a time when the residue of his term does not exceed one year.

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(5) Notwithstanding that the term of office of a member of the Council has expired by the effluxion of time, a person appointed as the President, Vice-President or Treasurer of the Council shall continue in that office until a fresh appointment is made to the office.

23

24

25

26

*Powers of the Council*

27

2. (1) Subject to the following sub-paragraph and to any direction of the Minister under this Act, the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities.

28

29

30

(2) The Council shall not have power to borrow money or to

1 dispose of any property except with the prior consent of the Minister and shall  
2 not have power to pay remuneration (including pensions), allowances or  
3 expenses to any member, officer or servant of the Council or to any other  
4 person, except in accordance with scales approved by the Minister.

5 *Proceedings of the Council*

6 3. Subject to the provisions of this Act and of section 27 of the  
7 Interpretation Act (which provides for decisions of a body to be taken by a  
8 majority of the members of the body and for the Chairman to have a second or  
9 casting vote), the Council may, make standing orders regulating the  
10 proceedings of the Council or any committee thereof.

11 *[Cap. 123.]*

12 4. The quorum of the Council shall be ten, so however that, at least one  
13 of the persons appointed by the Institute and five six of the representatives of  
14 the States of the Federation are present at the particular meeting and the  
15 quorum of any committee of the Council shall be determined by the Council.

16 5.-(1) The Council shall appoint from its members, a President, Vice-  
17 President and Treasurer but a member appointed to hold any of these offices  
18 who ceases to be a member of the Council shall relinquish his office.

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

24 6.-(1) Subject to the provisions of any standing orders of the Council,  
25 the Council shall meet whenever it is summoned by the President and not less  
26 than four times in any financial year; and if the President is required so to do by  
27 notice given to him by not less than six other members, he shall summon a  
28 meeting of the Council to be held within seven days from the date on which the  
29 notice is given.

30 (2) At any meeting of the Council, the President shall preside, and in

1 his absence or in the absence of the Vice-President, the President shall  
2 designate a member to preside at that meeting.

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

#### 8 *Committees*

9 7.-(1) The Council may appoint one or more committees to carry  
10 out, on behalf of the council, such of its functions as the Council may  
11 determine.

12 (2) A committee appointed under this paragraph shall consist of the  
13 number of persons determined by the Council, and not more than one third  
14 three quarters of those persons may be persons who are not members of the  
15 Council; and a person other than a member of the Council shall hold office  
16 on the committee in accordance with the terms of the instrument by which he  
17 is appointed

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

#### 20 *Miscellaneous*

21 8.-(1) The fixing of the seal of the Council shall be authenticated by  
22 the signature of the President or of some other members authorised  
23 generally or specially by the Council to act for that purpose.

24 (2) Any contract or instrument which, if made or executed by a  
25 person not being a body corporate, would not be required to be under seal  
26 may be made or executed on behalf of the Council by any person generally  
27 or specially authorised to act for that purpose by the Council.

28 (3) Any document purporting to be a document duly executed  
29 under the seal of the Council shall be received in evidence and shall unless  
30 the contrary is proved, be deemed to be so executed.





1 requires, be entitled to be heard by the Tribunal;

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

4 (e) subject to the provisions of section 13(5) of this Act, as to the  
5 costs of proceedings before the Tribunal;

6 (f) for requiring, in a case where it is alleged that the person who is  
7 the subject of the proceedings is guilty of infamous conduct in any  
8 professional respect, that where the Tribunal adjudges that the allegation has  
9 not been proved, it shall record a finding that the person is not guilty of such  
10 conduct in respect of the matters to which the allegation relates;

11 (g) for publishing in the Federal Gazette notice of any direction of  
12 the Tribunal which has taken effect providing that a person's name shall be  
13 struck off a register.

14 3. For the purposes of any proceedings before the Tribunal, any  
15 member of the Tribunal may administer oaths and any party to the  
16 proceedings may issue out of the registry of the High Court as the case may  
17 require, writs of subpoena ad testificandum and duces tecum; but no person  
18 appearing before the Tribunal shall be compelled:

19 (a) to make any statement before the Tribunal tending to  
20 incriminate himself; or

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

23 4.-(1) For the purpose of advising the Tribunal on questions of law  
24 arising in proceedings before it, there shall in all such proceedings, be an  
25 assessor to the Tribunal who shall be appointed by the Council on the  
26 nomination of the Chief Justice of Nigeria and shall be a legal practitioner of  
27 not less than seven years standing.

28 (2) The Chief Justice of Nigeria shall make rules as to the functions  
29 of assessors appointed under this paragraph and in particular such rules shall  
30 contain provisions for securing:

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

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

10 (3) An assessor may be appointed under this paragraph either  
11 generally or for any particular proceedings 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 *The Panel*

15 5. The quorum of the Panel shall be three.

16 6.-(1) The Panel may, at any meeting of the Panel attended by not less  
17 than six members of the Panel, make standing orders with respect to the Panel.

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

20 *Miscellaneous*

21 7.-(1) A person ceasing to be a member of the Tribunal or the Panel  
22 shall be eligible for appointment as a member of that body.

23 (2) A person may, if otherwise eligible, be a member of both the  
24 Tribunal and the Panel. But no person who acted as member of the Panel with  
25 respect to any case shall act as a member of the Tribunal with respect to that  
26 case.

27 8. The Tribunal or the Panel may act notwithstanding any vacancy in  
28 its membership and the proceedings of either body shall not be invalidated by  
29 any irregularity in the appointment of a member of that body, or (subject to sub-  
30 paragraph (2) of paragraph 7 above) by reason of the fact that any person who

1 was not entitled to do so took part in the proceedings of that body.

2 9. The Tribunal and the Panel may each sit in two or more  
3 divisions.

4 10. Any document authorized authorised or required by virtue of  
5 this Act to be served on the Tribunal or the Panel shall be served on the  
6 Registrar.

7 11. Any expenses of the Tribunal or Panel shall be defrayed by the  
8 Council.

9 12. A person shall not, by reason only of his appointment as a legal  
10 assessor to the Tribunal or as a member of the Panel, be treated as holding an  
11 office of emolument under the Federal Republic of Nigeria or any State  
12 thereof.

#### EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Architects Registration Council of Nigeria Act, Cap. A19 Laws of The Federation of Nigeria 2004 and enact the Architects Regulation Council of Nigeria Bill, to provide for the regulation of the profession of Architecture by the Council.

