

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF CORPORATE MENTORING AND COACHING NIGERIA (CICMCN) TO BE CHARGED WITH THE RESPONSIBILITY FOR REGISTRATION, DISCIPLINE OF ITS MEMBERS TO REGULATE AND CONTROL THE PRACTICE OF MENTORING AND COACHING AND FOR RELATED MATTERS

Sponsored by Hon. Eta Mboria

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF
2 CORPORATE MENTORING AND COACHING NIGERIA (CICMCN)

3 1.-(a) There is hereby established a body to be known as the
4 Chartered Institute of Corporate Mentoring and Coaching Nigeria (in this
5 Bill referred to as "The Institute") which;

Establishment of
Chartered Institute
of Corporate
Mentoring and
Coaching Nigeria

6 (b) Shall be a body corporate with:

7 (i) Perpetual successions;

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

10 (c) May sue and be sued in its corporate name, and may acquire,
11 hold and dispose of any property, movable and immovable.

12 2.-(a) The Institute shall have the general duty of:

Functions and
Objectives of the
Institute

13 (i) To develop and maintain high standard of professional
14 competence in mentoring and coaching in Nigeria both in public and private
15 sectors, conforms to the best professional standards;

16 (ii) To conduct research into and publish materials relating to
17 leadership, mentoring and coaching in Human Capital Development;

18 (iii) To provide certification, training mentorship and coaching

1 programs and award certificates;

2 (iv) To promote regulate and develop the science and practice of
3 mentoring and coaching in all its ramifications;

4 (v) To build individual with strong positive personality, resourceful,
5 goal oriented who readily would adapt to change in this dynamic changing
6 environment;

7 (vi) Arranging conferences, seminars, symposia and meeting for
8 discussion on mentoring, coaching and other related matters, delivery of
9 lectures, publishing copies of abridgement of papers, books, lectures, records
10 and other memoranda instilling high standard of professional ability and
11 knowledge by means of periodic issue of journals of the institute and to
12 organize post qualification courses for its members.

**Membership of
the Institute**

13 3. Membership of the Institute is open to individuals who are
14 interested in developing their mentoring, coaching and leadership capacity,
15 and corporate organizations that wish to develop the leadership skills and
16 competencies of their staffs and such admitted persons may be registered as
17 members in any of the following categories:

18 (a) Grand professional Mentor and Coach (GPMC);

19 (b) Fellow professional Mentor and Coach (FPMC);

20 (c) Member professional Mentor and Coach (MPMC);

21 (d) Associate professional Mentor and Coach (APMC);

22 (e) Chartered Professional Membership;

23 (f) Corporate Membership.

24 PART 2 - ELECTION OF PRESIDENT AND VICE PRESIDENT

25 OF THE INSTITUTE

26 4.-(1) There shall be a President and Two Vice President of the
27 Institute who shall be fellow professional mentor and coach of the Institute.

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

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

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

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

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

PART 3 - GOVERNANCE COUNCIL OF THE INSTITUTE, ETC.

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

6.-(1) The Council shall consists of the following members:

(a) A Chairman who shall be President of the Institute;

(b) Two Vice-Chairmen who shall be the Vice Presidents of the Institute;

(c) A treasurer who shall be elected by the Institute;

(d) One representative each of the following:

(i) Federal Ministry of Education;

(ii) Federal Ministry of Youth and Sport;

(iii) Two Board Members of the institute incorporated

(e) Ten persons elected by the Institute;

1 (f) All past Presidents of the Institute including the past presidents of
2 the incorporated Institute of Mentoring and Coaching Nigeria;

3 (g) Two persons to represent institutions of higher learning in Nigeria
4 offering courses leading to approved qualifications, to be appointed by the
5 Federal Ministry of Education on rotation, so, however that the two shall not be
6 from the same institution;

7 (h) The Director General.

8 (2) The Provision of First Schedule to this Act shall have effect with
9 respect to the qualifications and tenure of office of members of the Council and
10 the other matters therein mentioned.

11 7.-(1) Subject to the provisions of this paragraph, a member of the
12 Council shall hold office for a period of two years beginning with the date of his
13 election or appointment.

14 (2) Any member of the Institute who ceases to be a member thereof
15 shall, if he is also a member of the Council, cease to hold office of the council

16 (3) Any member of the Council may, by notice in writing under his
17 hand addressed to the President, resign his office.

18 (4) A person who retires from or otherwise ceases to be an elected
19 member of the Council shall be eligible to become a member of the council and
20 any appointed member may be reappointed.

21 (5) Members of the Council shall at their next meeting before the
22 annual general meeting of the Institute arrange for four members of the Council
23 appointed or elected and longest in office to retire at that general meeting.

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

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

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

(b) Such member was elected; the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears to warrant the carrying on of the activities of the Institute.

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

PART 4 - FINANCIAL PROVISIONS

9.-(1) There shall be established for the Institute a fund which shall be managed and controlled by the Council.

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

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

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

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

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

(b) Such reasonable traveling and subsistence allowances of members of the Council in respect of the time spent on the business of the Council as the Council may determine; and

(c) Any other expense occurred by the Council in the discharge of its functions under the Bill.

(4) The council may invest moneys from the fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.

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

1 (6) All the Institutional members in Nigeria shall cause to be paid to
2 the fund, an annual subscription as may be determined by the Council from
3 time to time.

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

9 PART 5 - THE DIRECTOR GENERAL

10 10.-(1) The Council shall appoint a fit and proper person to be the
11 Director General for the purpose of this Act, and such other persons as the
12 Council may from time to time, deem necessary to assist the Director General
13 in the performance of his functions under this Bill.

14 (2) The Director General, shall in addition to his other functions under
15 this Act, be the secretary to the Council and shall keep minutes of the
16 proceedings of all meetings of the council and committees thereof.

17 (3) The Director General appointed under subsection (1) of this
18 section shall be the Chief Executive of the Institute and shall report to the
19 Council of the Institute.

20 (4) The Council shall appoint other principal officers such as:

21 (a) Director, Education and Training;

22 (b) Director, Finance and Administration;

23 (c) Director, Membership and Certification;

24 (d) Director, Research and Development;

25 (e) To any other position that it may be deemed necessary.

26 (5) Subject to the provisions of this Act, the Council shall make rules
27 with respect to the form and keeping of registers and the making of entries
28 thereon, and in particular:

29 (a) Regulate the making of applications for enrolment or registration,

1 as the case may be, and providing for the evidence to be produced in support
2 of the application;

3 (b) Provide for the notification to the Director General, by the
4 person to whom any registered particular relates or any change in those
5 particulars;

6 (c) Authorize an enrolled or registered person to have any
7 qualification;

8 (d) Which is in relation to the relevant division of the profession,
9 either an approved qualification or an accepted qualification, for the
10 purposes of this Bill registered in relation to his name in addition to, as he
11 may elect, in substitution for any other qualification so registered;

12 (e) Specify the fees, including any annual subscription, to be paid
13 to the institute in respect of the entry of names on the Register and
14 authorizing the registrar to refuse to enter a name on the Director General
15 until such fees specified for the entry has been paid;

16 (f) Specify the standards of conduct required of a member of the
17 institute and actions or omissions that amount to a misconducts; and

18 (g) Specify anything failing to be specified under the foregoing
19 provisions of this section; but rules made for the purpose of paragraph (d) of
20 this sub-section shall not come into force until they are confirmed at a
21 general meeting of the institute.

22 (6) The Director General shall:

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

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

28 (c) Remove from the register the name of a deceased member or
29 members whose names he is directed to strike off as a result of disciplinary
30 action; and

1 (d) Record the names of members of the institute who are in the
2 default for more than one year in the payment of annual subscriptions, and to
3 take such action in relation thereto (including removal of the names of
4 defaulters from the register) as the Council may direct and any person whose
5 name is removed from the register for being in default of payment of any year
6 may be re-registered subject to payment of outstanding subscription and re-
7 registration fees as may be approved by the Council

8 (7) The rule made pursuant to subsection 6 of this section shall
9 provide for a procedure for updating members particularly in the register, and
10 conditions under which the registrar may remove the name of a member from
11 the list for failing to update his particulars, and the manner to cause a
12 restoration of such a member in the list.

13 (8) The Director General shall:

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

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

20 (c) Cause a print of each edition of the register and of each list of the
21 corrections to be deposited at the principal office of the Institute; and

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

Approval of
Qualification

25 11.-(1) The Council may approve any qualification for the purpose
26 Approval of this Bill and may for such purposes approve:

27 (a) Any course of training at any approved institution which is
28 intended for persons seeking to become or are already Mentor and Coach and
29 which the Council considers is designed to confer on persons completing it,
30 sufficient knowledge and skill for admission to the institute;

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

(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 each person in Nigeria appearing to the Council to be the 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 to make to the Council representations with regard to the proposal.

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

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

(5) 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 signifying the giving or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall:

(a) As soon as may be practicable, publish a copy of every such instrument in the official newsletter and magazine of the institute;

(b) Not less than seven days before its publication as aforesaid,

Supervision
instruction

1 send a copy of the instrument to the institution affected.

2 12.-(1) It shall be the duty of this Council to keep itself informed of

3 Supervision of the content and methods of:

4 (a) The Instructions given at approved institutions to persons
5 attending approved courses of training;

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

10 (2) It shall be the duty of a person appointed under subsection (1) of
11 this section to report to the council on:

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

14 (b) The adequacy of the examination attended by him;

15 (c) Any other matter relating to the institution or examinations on
16 which the Council may, either generally or in particular cases, request them to
17 report, but no such person shall interfere with the giving of any instruction or
18 the holding of any examination.

19 (3) On receiving a report made pursuant to this section, the Council
20 may, if it deems fit, and shall, if so required by the instruction, send a copy of
21 the report to the person appearing to the Council to be in charge of the
22 Institution or responsible for the examinations to which the report relates,
23 requesting that person to make observations on the report to the Council within
24 such period as may be specified in the request, not being less than one month
25 beginning with the date of that request.

26 PART 6 - PROFESSIONAL DISCIPLINE

Establishment
of Investigation
Panel and
Disciplinary
Tribunal

27 13.-(1) There shall be constituted a body to be known as the Chartered
28 mentor and coach investigating committee (in this Bill referred to as
29 "Committee") which shall be charged with the duty to Institute of Mentor and
30 Coach "The Investigating":

1 (a) Conduct a preliminary investigation into any case where it is
2 alleged that a member of the institute is involved in misconduct in his
3 capacity as a Mentor and Coach or shall for any other reason be the subject of
4 proceedings before the disciplinary panel;

5 (b) Decide whether the case should be referred to the disciplinary
6 panel or not.

7 (2) The investigating committee shall be appointed by the council
8 and shall consist of five members as follows:

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

11 (b) Three Members of the Institute who are not members of the
12 Council.

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

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

17 (5) The investigating Committee shall act independently in
18 receiving and investigating allegations under paragraph (a) of subsection (1)
19 of this section and shall have power to receive complaints directly from any
20 individual or organization.

21 (6) There shall be established a panel to be known as the Chartered
22 Institute of Mentor and Coach disciplinary panel (in this act referred to as
23 "the disciplinary panel"), which shall be charged with the duty of
24 considering and determining any case referred to it by the investigating
25 committee constituted under subsection (1) of this section.

26 (7) The disciplinary panel shall be appointed by the Council and
27 shall consist of two members of the Council, one of whom shall be the
28 Chairman, and three other members of the Institute who are not members of
29 the council.

30 (8) The Council shall have power to confirm, rescind or amend, as

1 the case maybe, any directive to be conveyed by the disciplinary panel, to any
2 person, adjusted by the panel to be guilty of professional misconduct, in
3 accordance with the provisions of section 15 of this act:

4 Provided that, the council shall prior to taking any decision on the
5 matter, first give to the person concerned the opportunity of being heard.

Third Schedule

6 (9) The provisions of Third Schedule to this act shall, so far as
7 applicable to the investigating committee and disciplinary panel respectively,
8 has effect with respect to those bodies.

Penalties for
professional
misconduct

9 14.-(1) (a) A member is adjusted by the Disciplinary Panel to be guilty
10 of professional misconduct in any professional respect;

11 (b) A member is convicted by any Court of law having power to award
12 imprisonment for an offence (whether or not punishable with imprisonment),
13 which in the opinion of the disciplinary Panel is incompatible with the conduct
14 required of a member of the institute;

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

18 (2) A person who is found guilty of misconduct by the decision of the
19 Disciplinary Panel shall have his name struck out from the Register of
20 Members.

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

24 (4) For the purpose of subsection (1) (b) subsection (i) of this section,
25 a person shall not be treated as guilty as therein mentioned, unless the guilt
26 stands at a time when no appeal or further appeal is pending or may, (without
27 extension of time) be brought in connection with the directive.

28 (5) The person to whom such a directive is given under subsection (4)
29 of this section may, at any time within twenty-eight days from the date of
30 service on him of notice of the direction, appeal against the direction to the

1 Federal High court, and where necessary to the court of Appeal and the
2 Disciplinary Panel and complainant if any may appear as a respondent to the
3 appeal and for the purpose of enabling directions to be given as to the cost of
4 the appeal and of proceedings before the Federal High Court or Court of
5 Appeal, the disciplinary Panel and complainant shall be deemed to be a
6 party thereto, whether or not it appears on the hearing of the appeal.

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

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

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

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

16 (7) A person whose name is struck off the Register in pursuance of a
17 direction of the disciplinary Panel under this section, shall not be entitled to
18 be enrolled or registered again, except in pursuance of a direction in that
19 behalf and a direction under this section for the striking off a person's name
20 from the register, may prohibit an application under this subsection, by that
21 person, until the expiration of such period from the date of the directive (and
22 where he has duly made such an application, from the date of his last
23 application), as may be specified in the direction.

24 PART 7 - MISCELLANEOUS

25 15. A person who is not a member of the incorporated Institute of
26 Mentor and Coach, established before the commencement of this Act, but it
27 is qualified to apply for and obtain membership if the Institute, may apply
28 for membership of the Chattered of Mentor and Coach, established by this
29 Act, in such a manner as may be prescribed by rules made by the Council and
30 shall be registered in the category of membership appropriate in the current

Application of
this Act to
unregistered
persons

Practice as a
Mentor and
Coach

1 period for holders of the qualification he possesses.

2 16.-(1) Subject to subsection (2) of this section, a person shall be
3 practice as a Mentor and Coach if in consideration of remuneration received or
4 to be received and whereby himself/herself or in partnership with any other
5 persons he:

6 (a) Engages himself in the practice of share registration or holds
7 himself out to the public as a Mentor and Coach;

8 (b) Renders professional service or assistance in, or about matters of
9 principles or details, relating to the practice of share registration;

10 (c) Renders any other service which may, by regulations made by the
11 Council, be designated as service constituting practice as a Mentor and Coach.

12 (2) Nothing in Subsection (1) of this section shall be construed as to
13 apply to persons who, while in the employment of any government, perform
14 the duties or any of the duties of a Mentor and Coach;

15 (3) Nothing in subsection (1) of this section shall be construed as
16 restricting registered stockbrokers from the performance of professional duties
17 to their clients.

Offences and
Penalties

18 17.-(1) A person who, for the purpose of procuring the registration of
19 any name, qualification or other matter:

20 (a) Make a statement which he believes to be false in any material
21 particular; and

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

24 (2) If on or after the coming into force of this Bill, a person who is not
25 member of the institute practices or holds himself out as a Mentor and Coach
26 for, or in expectation of reward or takes or uses any name, title, addition or
27 description, implying that he is in practice as a Mentor and Coach, commits an
28 offence.

29 (3) In the case of a person failing within section 16 of this Bill:

30 (a) The provision of subsection (2) of this section shall not apply in

1 respect of anything done by him during the period of three months;

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

7 (4) The registrar or any other person employed by or on behalf of
8 the Institute who willfully makes any falsification in any matter relating to
9 the register, committees an offence.

10 (5) A person who commits an offence under this section shall be
11 liable on conviction to a minimum fine of One Hundred Thousand Naira
12 (N100,000.00); or impoundment for a maximum term of two years, or to
13 both such fine and imprisonment.

14 (6) Where an offence under this section which has been committed
15 by a body corporate is proved to have been committed with the consent or
16 connivance of or be attributable to any neglect on the part of any director,
17 manager, secretary or other similar officer of the body corporate, or any
18 person purporting to act in any such capacity, he, as well as the body
19 corporate shall be deemed to have committed the offence and shall be liable
20 on conviction by court of competent jurisdiction in the case of an individual
21 to the punishment prescribed in subsection (5) of this section and in the case
22 of a body corporate, to a fine of N500,000 (Five Hundred Thousand Naira)
23 and or imposition of a ban on practice of share registration for a specific
24 period of time not less than five (5) years.

25 18.-(1) Any regulations, made pursuant to this Bill shall be Regulations
26 published in the Institute's journal.

27 (2) Rules made for the purpose of this Bill shall be subjected to
28 confirmation by the Institute at its next general meeting, and shall not have
29 effect until so confirmed.

Transfer to the
Institute of certain
properties

19. -(1) From the commencement of this Act:

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

(b) Subject to subsection (2) of this section, any act, matter or thing made or done by the Incorporated Institute shall be deemed to have been done by the Institute except otherwise stated.

Second Schedule

(2) The provisions of the second schedule to this Bill shall have effect with respect to matters arising from the transfer of assets and liabilities of the incorporated to the institute with respect to other matters mentioned in that schedule.

Interpretation

20. In this Bill:

"Mentor and Coach" means any person registered to practice mentoring and Coaching under this Bill;

"Council" means the Governing Council Established for the Institute under section 5 of this Bill;

"Disciplinary Panel" means the Chartered Institute of Mentoring and Coaching established under subsection (6) of section 14 of this Bill;

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

"Institute" means the Chartered Institute of Mentoring and Coaching established under section 1 of this Bill;

"Investigation Committee" means the Chartered Institute of Mentoring and Coaching established under subsection (1) of section 14 of this Bill;

"Members" means Grand, Fellow, Member, Associate Chartered and Corporate as the case maybe and membership of the institute shall be construed accordingly;

"Minister" means the Minister for Education;

"President" and "Vice President" respectively means the holder of offices

under those names in the institute;

"Director General means the register and secretary maintained pursuant to section 9 of this Bill.

21. This Bill may be cited as the Chartered Instituted of Mentoring and Coaching Bill, 2021. Short title

SCHEDULES

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

(1) Subject to the provisions of this Act, the Council may in the name of the Institute, making standing orders, regulating its proceedings or proceedings of any Committee of the councilor the institute thereof, excepting rules of the Investigation Committee of the Disciplinary Panel.

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

(3) The standing orders made for a committee of the Council shall provide for the Committee to report to Council on any matter referred to it by the Council.

(4) The quorum at any meeting of the Council shall be 10 and the quorum of a Committee of the Council shall be determined by the Council.

General Meeting of the Institute

2.-(1) The Council shall convene the Annual General Meeting of the Institute once a year, at such time and place as may be determined by the Council, but, if the meeting is not held within one year after the previous Annual General Meeting, not more than fifteen months shall elapse between the respective dates of the two meetings;

Provided that, notice of the annual general meeting shall be given to all members of the Institute, not later than Twenty-One days, from the date of the meeting.

1 (2) A special general meeting of the Institute may be convened by the
2 Council at any time if, not less than Thirty members of the Institute so require,
3 by notice in writing, addressed to the chairman of the Council, setting out the
4 objects of the proposed meeting, the chairman of the council shall convene a
5 special general meeting of the institute.

6 Provided that, notice of the annual general meeting shall be given to
7 all members of the institute not later than twenty-one days, from the date of the
8 meeting.

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

11 *Meeting of the Council*

12 3.-(1) Subject to the provisions of any standing orders of the Council,
13 the council shall meet quarterly in a year.

14 (2) At any meeting of the Council, the Chairman or in his absences, or
15 in the absence of the first Vice-Chairman too, the second Vice-Chairman shall
16 preside, but if the Chairman, the First Vice-Chairman and the second vice-
17 chairman are absent, the members present at the meeting shall appoint one of
18 their member to preside

19 (3) Where the Council desires to obtain the advice of any person on a
20 particular matter, the Council may co-opt him as a member for such period as
21 the Council deems fit, but a person who is a member by virtue of this sub-
22 paragraph shall not be entitled to vote at any meeting of the council, and shall
23 not count towards a quorum.

24 (4) Notwithstanding anything in the foregoing provisions of this
25 paragraph, the first meeting of the Council shall be summoned by the President
26 of the Institute

27 *Committees*

28 4.-(1) The Council may appoint one or more Committees to carry out
29 on behalf of the Institute or the Council, such functions as the Council may
30 determine.

1 (2) A Committee appointed under this paragraph shall consist of
2 the number of the number of persons determined by the council of whom not
3 more than one-third may be persons who are not members of the Council
4 and a person other than a member of the Council shall hold office on the
5 Committee in accordance with the terms of his letter of appointment (3) A
6 decision a Committee of the Council shall be of no effect until it is confirmed
7 by the Council, except the council otherwise authorizes

8 *Miscellaneous*

9 5.-(1) The fixing of the seal of the institute shall be authenticated by
10 the signature of the Chairman or of some other members of the council
11 authorized generally or specifically by the institute to act for that purpose

12 (2) Any contract or instrument which if made or executed by a
13 person not being a body corporate, would not be required to be under seal,
14 may be made or executed on behalf of the institute or the Council, as the case
15 may require by an authorized to act for the purpose by the Council, person
16 generally or specifically.

17 (3) Any document purporting to be a document duly executed
18 under the seal of the institute, shall be received in evidence and shall, unless
19 the contrary is proved, be deemed to be so executed.

20 *Validity of Proceedings*

21 6. The validity of any proceeding of the Institute or the Council, or
22 of a Committee of the shall not be affected by any vacancy in the
23 membership, or any defect in the appointment of a member of the Institute, or
24 of the Council, or of a person to serve on the committee, or by reason that a
25 person not entitled to do so took part in the proceedings.

26 7. Any member of the Institute or the Council, and any person
27 holding office on a Committee of the Council, who has a personal interest in
28 any contract arrangement entered into, or proposed to be considered by the
29 Council on behalf of the Institute or on behalf of the Council or a Committee
30 thereof, shall forthwith disclose his interest to the President or to the

1 Council, as the case may be and he shall not vote on any question relating to that
2 contract or arrangement.

3 8. A person shall not by reason only of his membership of the Institute
4 be treated as holding an office in the public service of the Federation.

5 SECOND SCHEDULE

6 TRANSITIONAL PROVISIONS AS TO PROPERTIES

7 *Transfer of Properties*

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

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

15 (b) For any reference (however worded) and whether express or
16 implied to the incorporated institute, there were substituted as respects
17 anything failing to be done on or after the commencement of this act, a
18 reference to the institute;

19 (c) For any reference (however worded) and whether (express or
20 implied) to a member or members of the Council of the incorporated instituted
21 as respect anything failing to be done on or after the commencement of the Act,
22 a reference to a member or members of the Council under this Act.

23 2. Other documents referring to, whether specifically or generally to
24 the incorporated institute, shall construct in accordance with sub-paragraph (1)
25 of this paragraph so far as applicable.

26 3. Any legal proceedings or application to any authority pending on
27 the commencement of this by or against the incorporated institute maybe
28 continued on or after that day by or against the institute.

29 4. On the commencement of this Act, any person holding any paid
30 appointment in the incorporated institute shall hold corresponding

1 appointment in the institute on the same terms and conditions as already
2 exist.

3 5. However, on the commencement of this Act, primary, post
4 primary, tertiary and related educational institution started, established and
5 owned by incorporated institute shall not be transferred by Act to institute
6 during and after.

7 6. Any regulations, rules and similar instruments made for the
8 purpose of the incorporated institute and in force immediately before the
9 coming into force of this Bill shall, except in so far as they are subsequently
10 revoked or amended by any authority, having power in that behalf, have
11 effect with any necessary modifications as if daily made for the
12 corresponding purposes of the institute.

13 THIRD SCHEDULE

14 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY 15 TRIBUNAL AND INVESTIGATION PANEL

16 *The Disciplinary Committee*

17 1. The quorum of the Disciplinary Panel shall be six members
18 inclusive of chairman of the governing council.

19 2.-(1) The Attorney-General of the Federation shall make rules as
20 to the selection of members of the Disciplinary Panel for the purpose or any
21 proceedings, the procedure to be followed and the rules of evidence to be
22 observed in the proceedings before the Disciplinary Panel.

23 (2) The rules shall in particular provide:

24 (a) For securing that any party to the proceedings shall be entitled to
25 be heard and given fair opportunity to defend the allegations against him
26 either by the Disciplinary Panel;

27 (b) For determining who, in addition to the person aforesaid, shall
28 be a party to the proceedings;

29 (c) For securing that any party to the proceedings shall, if he so
30 requires, be entitled to be heard by the Disciplinary Panel;

1 (d) For securing that any party to the proceedings may be represented
2 by a legal practitioner;

3 (e) For requiring, in a case where it is alleged that the person who is
4 the subject of the proceedings is guilty of misconduct in any professional
5 respect, that where the Disciplinary Panel adjudges that the allegation has been
6 proved it shall record a finding that the person is guilty of such misconduct in
7 respect of the matters to which the allegation relates;

8 (f) Requiring that the registrar shall publish and carry out decisions
9 and directions of the Disciplinary Panel which has taken effect including
10 striking out a person's name off the register.

11 3. For the purposes of any proceeding before the Disciplinary Panel,
12 any member of the Disciplinary Panel may administer oaths, and any party to
13 the proceedings may issue out of the registry of The Federal High Court by
14 writs of "Subpoena ad testificandum and ducestecum" but no person appearing
15 before the Disciplinary Panel shall be compelled:

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

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

20 *Assessor*

21 1.-(1) For the purpose of advising the disciplinary Panel on questions
22 of law, arising in proceedings before it, there shall in all such proceedings be an
23 assessor to the Disciplinary Panel, who shall be appointed by the Council, on
24 the nomination of the Attorney-General of the Federation, and he shall be a
25 legal practitioner of not less than ten year standing.

26 (2) The Attorney-General of the Federation shall make rules as to the
27 functions of the assessor appointed under this paragraph and in particular such
28 rules shall contain provisions for securing;

29 (a) That where an assessor advises the Disciplinary Panel on any
30 question of law as to evidence, procedure or any other matter specified by the

1 rules, he shall do so in the presence, of every party or a person representing a
2 party to the proceeding, who appear thereat or, if the advice is tendered while
3 the Disciplinary Panel is deliberating in private that every such party or
4 person as aforesaid shall be informed of what advice the assessor has given,
5 with any opportunity to respond to it;

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

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

13 *The Investigating Panel*

14 2.-(1) The quorum of the investigation Committee shall be three.

15 (2) The Governing Council may, at any of its meetings attended by
16 all members, make standing orders with respect to the investigation
17 committee.

18 (3) Subject to the provision of any such standing order, the
19 investigation committee may regulate its own proceedings.

20 *Miscellaneous*

21 3.-(1) A person whose tenure as a member of the Disciplinary
22 Panel, or the investigation committee has expired, shall be eligible for re-
23 appointment as a member of the Disciplinary Panel or investigation
24 committee, as the case may be, however, nobody shall serve in the
25 investigating Committee for more than two consecutive terms, totaling four
26 years.

27 (2) A person may, if otherwise eligible be a member of both the
28 Disciplinary Panel and investigation committee, but no person who acted as
29 a member of investigating committee with respect to any case, shall act as a
30 member of the disciplinary Panel with respect to that case.

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

7 5. Any document authorized or required by virtue of this Act to be
8 served on the Disciplinary Panel or the investigation committee shall be served
9 on the Registrar.

10 6. All Expense of the disciplinary Panel or the investigation
11 Committee shall be defrayed by the institute.

EXPLANATORY MEMORANDUM

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

This Bill seeks to establish the Chartered Institute of Mentor and Coach, with the responsibility of developing and maintaining high standard of professional competence in mentoring and coaching in 'Nigeria.