

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF EMERGENCY, CRISIS AND DISASTER RISK MANAGEMENT CHARGED WITH THE RESPONSIBILITY OF ADVANCING THE STUDY, TRAINING AND PRACTICE OF EMERGENCY AND DISASTER MANAGEMENT AND DETERMINING THE STANDARDS OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS OF THE INSTITUTE AND FOR RELATED MATTERS

Sponsors:

Hon. Abubakar Hassa Sulata

Hon. Sada Soii

Hon. Zangon Oaura Nasiru,

Hon. Nnaji Nholim John

Hon. Anayo, Edwin

Commencement

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

1 PART I - ESTABLISHMENT, ETC. OF THE CHARTERED INSTITUTE OF
2 EMERGENCY, CRISIS & DISASTER RISK MANAGEMENT

3 I.-(1) There is hereby established a body known as Chartered
4 Institute of Emergency, Crisis & Disaster Risk Management (in this Act
5 referred to as ("the Institute")) which:

Establishment
of the Chartered
Institute of
Emergency, Crisis
& Disaster
Risk Management

6 (a) Shall be a body corporate with:

7 (i) Perpetual succession,

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

10 (b) Can sue and be sued in its corporate name; and

11 (c) Will subject to the land Use Act, acquire, hold and dispose of

1 any property, moveable or immoveable.

2 (2) The Institute shall have the general duty of:

3 (a) Determining the standards of knowledge and skills to be attained
4 by persons seeking to be registered members of the Institute and raising those
5 standards from time to time as circumstances may permit;

6 (b) Securing in accordance with the provisions of this Act, the
7 establishment and maintenance of a register of members entitled to practice as
8 Chartered Emergency, Crisis and Disaster Risk Managers and a register of
9 institutional members as well as the Publication from time to time, of list of
10 those persons;

11 (c) Conducting professional examinations leading to the award of
12 certificates as may be prescribed by the Institute;

13 (d) Maintaining discipline within the profession in accordance with
14 the provisions of this Act.

15 (e) Encourage, increase, disseminate and promote the education and
16 training of members in respect of all fields appertaining thereto or therewith;
17 the practice of Emergency, Crisis and Disaster Risk Management

18 (f) Highlight and impart such specialized knowledge, skills and
19 experience in Emergency, Crisis & Disaster Risk Management and

20 (g) Performing through the Council the functions conferred on it by
21 this Act.

Membership
of the Institute

22 2.-(1) Subject to the provisions of this Act, persons admitted to
23 membership of the Institute shall be registered as members in the following
24 categories:

25 (a) Student Members;

26 (b) Affiliate Members;

27 (c) Graduate Members;

28 (d) Associate Members;

29 (e) Technical Members;

30 (f) Chartered Professional Members;

1 (g) Chartered Fellow.

2 (2) Persons accorded the status of Chartered Emergency, Crisis and
3 Disaster Risk Managers by the Council shall be entitled to the use of that
4 name thus shall enrolled as:

5 (a) Student Members: Is open to any undergraduate who have an
6 interest in Health, Safety, Environmental, Crisis, Disaster and Emergency
7 Management;

8 (b) Affiliate Members: This shall constitute who are engaged in
9 Emergency, Disaster, Health, Environmental and Safety professions or in a
10 related field with a minimum of a year work experience;

11 (c) As a Graduate Member: Must have at least two (2) years of
12 work experience In a Health, Safety, Environmental, Disaster or related
13 role;

14 (d) Associate Members: This shall constitute of Members with at
15 least three (3) years Experience in Health Emergency, Safety,
16 Environmental or related role as well as must possess a recognized
17 qualification;

18 (e) Technical Member: Must have at least 5 years of work
19 experience as a practicing HSE Manager, Emergency and Disaster Risk
20 Manager, or related role;

21 (f) Chartered Professional Members: A Member must have at least
22 three (3) years of Experience as a Technical Member and also be in Health,
23 Safety, Environmental, Disaster or Risk Management leadership position
24 for at least five (5) years. In Addition, all Chartered Member must pass
25 Knowledge, Skill Assessment and an Oral Interview;

26 (g) Chartered Fellow: Chartered Fellowship of the Institute is
27 awarded only to Chartered Professional Members who demonstrated an
28 outstanding commitment to the Emergency, Crisis, Safety, Health,
29 Environmental and Disaster Risk professions. Our Chartered Fellows go
30 "above and beyond" the call of duty and are the Ambassadors of the Institute

- 1 as determined by the Board of Trustee;
- 2 (h) The designatory letters of the:
- 3 (a) Fellows of the Chartered Institute of Emergency, Crisis & Disaster
- 4 Risk Management shall be "FECRM";
- 5 (b) Professional Members of the Chartered Institute of Emergency,
- 6 Crisis & Disaster Risk Management shall be "CPMECRM";
- 7 (c) Technical Members of the Chartered Institute of Emergency,
- 8 Crisis & Disaster Risk Management shall be "TMECRM";
- 9 (d) Associates Members of the Chartered Institute of Emergency,
- 10 Crisis & Disaster Risk Management shall be "AECRM";
- 11 (e) Graduates Members of the Chartered Institute of Emergency,
- 12 Crisis & Risk Management shall be "GMECRM";
- 13 (f) Affiliate Members of the Chartered Institute of Emergency, Crisis
- 14 & Disaster Risk Management shall be "AMECRM".

15 PART II - ELECTION OF PRESIDENT AND VICE PRESIDENTS OF THE

16 CHARTERED INSTITUTE OF EMERGENCY, CRISIS &

17 DISASTER RISK MANAGEMENT

Office and tenure
of President and
Vice-President
of the Institute

- 18 3.-(1) there shall be a President and three Vice-Presidents of the
- 19 Institute who shall be Fellows of the Institute, to be elected by the Council and
- 20 to hold office each for a term of two (2) years from the date of election.
- 21 (2) (a) The President of the Institute shall serve as the President of the
- 22 Institute and Chairman of Council;
- 23 (b) The three Vice-Presidents shall be elected at the Annual General
- 24 Meeting of the Institute and shall each hold office for such terms and under
- 25 such conditions as may be determined or prescribed by the Council.
- 26 (3) The President shall be the Chairman of the Governing Council
- 27 established under this Act and in his absence, the 1st Vice-President shall be the
- 28 Chairman of the Governing Council.
- 29 (4) The President shall preside at meetings of the Institute and in the
- 30 event of his absence, death, permanent incapacity or disability, the Vice-

1 President shall preside.

2 (5) The 1st Vice-President shall in the event of the death,
3 permanent incapacity of the President act for the unexpired term of his office
4 as the case may be and reference in the Act to the President shall be
5 construed accordingly.

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

9 PART III - GOVERNING COUNCIL OF THE INSTITUTE ETC

10 4.-(1) There is hereby established for the Institute a Governing
11 Council (in this Act referred to as "the Council") which shall be charged with
12 the responsibility for the administration and general management of the
13 Institute.

Establishment
of the Governing
Council

14 (2) The Council shall consist of the following members:

- 15 (a) A Chairman who shall be President of the Institute;
- 16 (b) Three Vice-Chairmen;
- 17 (c) An Honorary Treasurer who shall be elected by the Institute;
- 18 (d) Public Relations Officer;
- 19 (e) One representative each from the following:
- 20 (i) Nigeria Maritime Administration & Safety Agency (NIMASA),
- 21 (ii) National Oil Spill Detection & Response Agency (NOSDRA),
- 22 (iii) National Emergency Management Agency (NEMA),
- 23 (iv) Federal Airport Authority of Nigeria (FAAN),
- 24 (v) Federal Fire Service,
- 25 (vi) NIMET and other critical Stakeholders,
- 26 (g) Five persons elected by the Institute;
- 27 (h) The President of the Institute shall be entitled to serve on the
28 Council as the Chairman and President of the Council;
- 29 (i) Two persons to represent institutions of higher learning in
30 Nigeria offering courses leading to approved qualifications, to be appointed

1 by the Federal Ministry of Education on rotation, so, however that the two shall
2 not be from the same institution; and

3 (j) The Registrar of the Institute.

4 (3) The provision of First Schedule to this Act shall have effect with
5 respect to the qualifications and tenure of office of members of the Council and
6 the other matters therein mentioned.

Powers of the
Council Principal
Officers of the
Institute

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

9 (5) The Council shall appoint other principal officers as:

10 (a) Director, Education, Training and Consultancy;

11 (b) Director, Finance and Administration;

12 (c) Director, Research, Planning and Development; and

13 (d) Director, Membership & Corporate Services;

14 (e) Any other position that may be deemed necessary by the Council.

Objectives of
the Institute

15 (6) The objectives of the Institute are to:

16 (a) Organize and conduct professional examinations in Emergency,
17 Crisis & Disaster Risk Management leading to the award of Associate(s) of the
18 Chartered Institute of Emergency, Crisis, & Disaster Risk Management;

19 (b) Regularly organise evening and weekend classes for student
20 members preparing for the Institute's examinations;

21 (c) Facilitate effective rapport between practicing Disaster Risk
22 Managers

23 (d) Take desirable measures to further the interest of Emergency,
24 Crisis and Disaster Risk Managers in the country;

25 (e) Organise lectures, seminars and conferences on Emergency, Crisis
26 and Disaster Risk Management related fields;

27 (f) Uphold and ensure observance of professional ethics and tradition
28 in the industry;

29 (g) Publishing in-house journals, periodicals and books on
30 Emergency Management;

1 (h) Promote general advancement of Emergency, Crisis & Disaster
2 Risk Management in the country;

3 (i) Conduct research into the theory and practice of Emergency,
4 Crisis & Disaster Risk Management in Nigeria;

5 (j) Disseminate information relating to Emergency, Crisis &
6 Disaster Risk Management to the public and liaise with the government
7 bodies towards promoting Emergency, Crisis & Disaster Risk Management
8 in the country;

9 (k) Undertake any project or do anything which is deemed to be in
10 the best interest of members; and

11 (l) Provide consultancy services in Emergency, Crisis & Disaster
12 Risk Management and in related fields.

13 PART IV - FINANCIAL PROVISIONS

14 8.-(1) There shall be established for the Institute, a fund which shall
15 be managed and controlled by the Council.

Fund of the
Institute

16 (2) Pursuant to subsection (1) there shall be paid into the fund
17 established-

18 (a) All fees and other monies payable to the Institute in pursuance
19 of this Act;

20 (b) Such other monies as may be payable to the Institute in the
21 course of its operations or in relation to the exercise of any of its functions
22 under this Act; and

23 (c.) All members of the Institute in Nigeria shall cause to be paid to
24 the fund, an annual subvention as may be determined by the Council from
25 time to time.

26 (3) The Council may invest monies in the fund in any securities
27 created or issued by or on behalf of the Government of the Federation or in
28 any other securities or in any area of investment in Nigeria approved by the
29 Council, provided that the purpose is to raise fund for the operations of the
30 Institute activities.

1 (4) The Council may, from time to time, borrow money for the
2 purposes of the Institute operations and any interest payable on monies so
3 borrowed shall be Paid out of the fund,

4 (5) The Council through the treasurer shall keep proper accounts on
5 behalf of the Institute in respect of each year and proper records in relation to
6 those accounts; and the Council shall cause the accounts to be audited by an
7 auditor appointed from the List of auditors and in accordance with the
8 guidelines supplied by the Auditor-General of the Federation.

9 (6) The auditor, appointed for the purpose of this section, shall not be a
10 member of Council.

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

12 (a) The remuneration and allowances of the Registrar and other
13 employees of the Institute;

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

17 (c) Any other expenses incurred by the Council in the discharge of its
18 functions under this Act.

19 PART V - THE REGISTRAR AND THE REGISTER

Appointment of
Registrar, etc.

20 9.-(1) It shall be the duty of the Council to appoint a fit and proper
21 person who shall be a member of the Institute to be the Registrar for the purpose
22 of this Bill.

23 (2) It shall be the duty of the Registrar to prepare and maintain in
24 accordance with rules made by the Council, a register of names, addresses and
25 approved qualifications and of such other particulars as may be specified in the
26 rules, of all persons who are entitled in accordance with the provisions of this
27 Bill to be enrolled as Chartered Fellows; Professional Members; Technical
28 Members; Associate Members; Graduate Members; Affiliate Members; and
29 Student Members and who, in the manner prescribed by such rules, apply to be
30 registered.

1 (3) The register shall consist of seven parts namely in respect of
2 fellows, full members and associate members.

3 (4) Subject to the following provisions of this section the Council
4 shall make rules with respect to the form and keeping of the register and the
5 making of entries therein and in particular:

6 (a) Regulate the applications for enrolment and provide for the
7 evidence to be produced in support of applications;

8 (b) Provide that notification must be given to the Registrar by any
9 person whose earlier information supplied to the Registrar has changed.

10 (c) That an enrolled or a registered person must have any
11 qualification in relation to the relevant division of the profession, either an
12 approved qualification for the purposes of this Bill, registered in relation to
13 his name in addition to or, as he may elect, in substitution for any other
14 qualification registered;

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

19 (e) Specifying any other thing failing to be specified under the
20 foregoing provisions of this section.

21 (5) Ensure that Rules made for the purposes of paragraph (d) of
22 subsection 4 of this section shall not come into force until confirmed at a
23 special meeting of the Institute convened for the purpose thereafter, or at the
24 next annual general meeting, whichever held earlier in time.

25 (6) It shall be the duty of the Registrar:

26 (a) to correct, in accordance with the rules of the Council, any entry
27 in the register which the Council directs him to correct as being in the
28 opinion of the Council an entry which was incorrectly made;

29 (b) To make, from time to time, any necessary alterations in the
30 register of members;

1 (e) To record the names of members of the Institute who are in default
2 for more than six months in the payment of annual subscriptions, and to take
3 such action in relation thereto (including removal of the names of defaulters
4 from the register) as the Council may direct or request.

5 (7) If the Registrar:

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

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

13 (c) The Registrar may remove the particulars relating to the person
14 from the register. However the Council may direct the Registrar to restore to
15 the appropriate part of the register any particulars removed there from under
16 this subsection.

17 8.-(1) It shall be the duty of the Registrar:

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

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

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

28 (2) Where in accordance with subsection (1) of this section, a person
29 is in any proceedings shown to have been or not to have been registered at a
30 particular date, he shall, unless the contrary is proved, be taken for the purpose

1 of those proceedings as having at all material times thereafter continued to
2 be or not to be so registered.

3 9.-(1) Subject to section 16 of this Act and to rules made under Registration as
4 section 9 of this Act, a person shall be entitled to be enrolled or registered as, a member
5 a Chartered Emergency Manager if either-

6 (a) He either passes the qualifying examination for membership Emergency Crisis
7 conducted by the Council under the Act and completes the practical training, Institute of Nigeria
8 prescribed, or

9 (b) Holds a qualification granted outside Nigeria and for the time
10 being accepted by the Institute and satisfies the Council that he has had
11 sufficient practical experience as a Emergency Manager.

12 (2) An applicant for registration shall, in addition to evidence of
13 qualification, exent be satisfactory to the Council that:

14 (a) He is of good character and high integrity;

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

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

18 (3) The Council may, in its sole discretion, provide ~~ally accept~~
19 qualification produced in respect of an application for registration under this
20 section, or direct that the application be renewed within such period as may
21 be specified in the directives.

22 (4) Any entry directed to be made in the register under this
23 subsection shall show that the registration is provisional and no entry so
24 made shall be full registration without the consent of the Council signified in
25 writing in that regard.

26 (5) The Council shall from time to time publish qualification for
27 the time Being acceptable for enrolment or registration by the Institute.

28 10.-(1) The Council may approve any qualifications for the Approval of
29 purpose of this Act and may for those purposes approve: Qualifications,
etc.

30 (a) any course of training in an approved institution which is

1 intended for persons who are seeking to become or are already Chartered
2 Emergency Managers and which the Council considers is designed to confer
3 on completing it sufficient knowledge and skill for admission into the Institute;

4 (b) any qualification which, as a result of an examination taken in
5 conjunction with a course of training approved by the Council under this
6 section, is granted to candidates reaching a standard at the examination
7 indicating in the opinion of the Council that the candidates have sufficient
8 knowledge and skill to practice as Chartered Emergency Managers of Nigeria.

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

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

15 (b) Afford such person an opportunity of making to the Council
16 representations with regard to the proposal; and

17 (c) Take into consideration any representation made as regards the
18 proposal in pursuance to paragraph (b) of this subsection.

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

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

30 (a) As soon as possible publish a copy of every such instrument.

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

Supervision of instruction, etc.

(a) The instruction given at approved institution to persons attending approved courses of training; and

(b) The examination as a result of which approved qualifications are granted And for the purposes of performing that duty the Council may constitute a committee, either from amongst its own members or otherwise to visit Approved institutions or to attend -such examination:

(2) It shall be the duty of the committee appointed under subsection (1) of this section to report to the Council on:

(a) The adequacy of the instruction given to persons attending approved courses of training at institution visited by it;

(b) the adequacy of the examinations attended by it; and any matters relating to the institutions or examinations which the Council may, either generally or in a particular case, request it to report;

(c) But no member of the committee shall interfere with the giving of any instruction or the holding of any examination.

(3) On receipt of a report made in pursuance of this section, the Council may, if it thinks fit and proper and if so requiring by the Institute, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations and report to the council within such period as may be specified in the request not being less than one month beginning from the date of the request.

PART VI - DISCIPLINE AND ISSUES

12.-(1) There shall be established a body to be known as the Chartered Institute of Emergency, Crisis & Disaster Risk Management Disciplinary Tribunal (in this Bill referred as "the Tribunal") which shall be charged with the duty of considering and determining any case referred to it by the panel established under subsection (3) of this section and any other

Establishment of Disciplinary Tribunal and Investigating Panel of the Chartered Institute of Emergency, Crisis & Disaster Management

1 case of which the Tribunal has cognizance under the following provision of this
2 Bill.

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

5 (3) There shall be a body, to be known as the Chartered Emergency
6 Managers Investigating Panel (in this Bill referred to as "the Panel") which
7 shall be Charged with the duty of:

8 (a) conducting a preliminary investigation into any case where it is
9 alleged that a member has misbehaved in his capacity as a Chartered
10 Emergency Manager or should for any other reason be the subject of
11 proceedings before the Tribunal; and

12 (b) Deciding whether the case should be referred to the Tribunal
13 following provision of this Bill.

14 (4) The panel shall be appointed by the Council, and shall consist of
15 two Members of the Council and one Chartered Emergency Manager who is
16 not a member of the Council.

17 (5) The provisions of the Third Schedule to this Bill in so far as it
18 relates to the Tribunal and Panel respectively shall have effect with respect to
19 those bodies

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

Penalties for
unprofessional
conduct, etc.

22 13.-(1) Where:

23 (a) A person enrolled or registered under this Bill is adjudged by the
24 Tribunal to be guilty of infamous conduct in any professional respect; or

25 (b) A person enrolled or registered under this Bill is convicted, by any
26 court in Nigeria or elsewhere having power of competent Jurisdiction, of an
27 offence (whether or not punishable with imprisonment) which in the opinion of
28 the Tribunal is incompatible with the status of a Chartered Emergency
29 Manager; or

30 (c) The Tribunal is satisfied that the name of any person has been

1 fraudulently enrolled or registered,

2 (d) The Tribunal may, if it thinks fit, give a direction reprimanding
3 that person or instruct the Registrar to strike his name off the relevant part of
4 the register.

5 (2) The Tribunal may, if it thinks fit, defer or further defer its
6 decision as to the giving of a direction under subsection (1) of this section
7 until a subsequent meeting of the tribunal.

8 (3) No decision of the Tribunal shall be deferred under subsection
9 (2) for periods exceeding one year in the aggregate.

10 (4) In so far as possible, no person shall be a member of the
11 Tribunal for the purposes of reaching a decision which has been deferred or
12 further deferred, unless he was present as a member of the Tribunal when the
13 decision was deferred.

Qualification for
Membership of
Tribunal on
deferment.

14 (5) For the purposes of subsection (1) of this section, a person shall
15 not be treated as convicted unless the conviction stands at a time when no
16 appeal or further appeal is pending or may (without extension of time) be
17 brought in connection with the conviction.

18 (6) When the Tribunal gives a direction under subsection (1) of this
19 section, the tribunal shall cause notice of the direction to be served on the
20 person to whom it relates.

21 (7) The person to whom a direction given under subsection (1) of
22 this section relates may, at any time within 28 days from the date of service
23 on him of notice of the directive appeal against the direction to the Federal
24 High Court; and the Tribunal may appear as respondent to the appeal and, for
25 the purpose of enabling directions to be given as to the costs of the appeal
26 and of proceedings before the Tribunal, the tribunal shall be deemed to be a
27 party thereto whether or not it appears on the hearing of the appeal.

28 (8) A direction of the Tribunal given under subsection (1) of this
29 section shall take effect where:

30 (a) No appeal under this section is brought against the direction

1 within the time limited for such an appeal, or on the expiration of that time;

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

4 (c) Such an appeal is brought and is not withdrawn or struck out as
5 aforesaid, but dismissed.

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

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

15 14.-(1) Subject to subsection (2) of this sections a person shall be
16 deemed to practice as such if, in consideration of remuneration received or to
17 be received, and whether by himself or in partnership with any other person, he:

18 (a) Engages himself in the practice as a Chartered Emergency
19 Manager or holds himself out to the public as a Chartered Emergency Manager;

20 (b) Renders professional service or assistance in or about matters of
21 principle or details relating to Emergency, Crisis & Disaster Risk
22 Management;

23 (c) Renders any other service which may by regulations made by the
24 Council, be designated as service constituting practice as Chartered
25 Emergency Manager or any of them.

26 (2) Nothing in this section shall be construed so as to apply to persons
27 who, while in employment of any government or person, are required under the
28 terms or in such employment, to perform the duties of a Chartered Emergency
29 Manager or any of them.

30 (3) A person who is not a member of the Institute or academy

1 established before the commencement of this Act, but is qualified to apply
2 for and obtain membership of the Institute, may apply for membership of the
3 Institute established by this Act, in such a manner as may be prescribed by
4 rules made by the Council and shall be registered in the category of
5 membership appropriate in the current period for holders of the qualification
6 he possesses.

7 15.--(1) The Council may make rules for:

8 (a) The training of Chartered Emergency Manager;

9 (b) The supervision and regulation and or engagement and training
10 of Such persons; and

11 (c) The provision of articles.

12 (2) The Council may also make rules:

13 (a) Prescribing the amount and date for payment of the annual
14 subscription etc. and annual renewal of studentship and for such purpose
15 different amount may be prescribed by the rules accorded to different
16 categories of membership of the Institute:

17 (b) Prescribing the form of licence to practice to be issued as the
18 Council thinks fit, by endorsement on an existing licence;

19 (c) restricting the right to practice as a Chartered Emergency
20 Manager for any default in payment of the amount of the annual subscription
21 or any fee(s) which continue a longer time than such period as may be
22 prescribed by the rules;

23 (d) Prescribing the period of practical training for the office of a
24 Chartered Emergency Manager of Nigeria for such that when the training is
25 completed such a person qualifies for enrolment or a license to practice as a
26 Chartered Emergency Manager of Nigeria.

27 16.--(1) The Institute shall:

28 (a) Provide and maintain a library comprising books and
29 publications for the advancement of knowledge of Emergency, Crisis &
30 Risk Management and leadership as well as such other books and

Rules as to
Articles, etc.

Provision of
Library

1 publication as the Council may think necessary for the purpose;
2 (b) Encourage research into the skill and knowledge of Emergency,
3 Crisis & Disaster Risk Management and leadership and allied subjects to the
4 extent that the Council may, from time to time, consider necessary.

Regulations

5 17.-(1) Any regulations, made under this Bill shall be published as
6 soon they are made; and the Council shall as soon they are published make
7 available copies of any such regulations to the President of the Institute.
8 (2) Rules made subject to and in furtherance of this Act shall be subjected to
9 confirmation by the institute at its next annual meeting or any special meeting
10 of the institute convened for the purpose, and if then annulled shall ceased to
11 have effect on the day after the date of annulment, but without prejudice to
12 anything done in pursuance of any such rules.

13 INDISCIPLINE, OFFENCES & PENALTIES

Offence and penalties

14 18.-(1) If any person for the purpose of procuring the enrolment or
15 registration of any name, qualification or other matters-

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

18 (b) recklessly makes a statement which is false in a material
19 particular, is guilty of an offence.

20 (2) If on or after the relevant date, any person who is not a member of
21 the institute practices as a Chartered Emergency Manager for or in expectation
22 of reward or uses any name, title, additional description implying that he is in
23 practice as a Chartered Emergency Manager, is guilty of an offence.

24 (3) If the registrar or any other person employed by or on behalf of the
25 Institute willfully makes any falsification in any matter relating to the register
26 he is guilty of the offence.

27 (4) A person guilty of an offence under this section is liable:

28 (a) On conviction after trial investigation and trial, to a fine of an
29 amount not exceeding N100,000; or

30 (b) On conviction or on indictment to a fine of an amount not

1 established before the commencement of this Act, but is qualified to apply
2 for and obtain membership of the Institute, may apply for membership of the
3 Institute established by this Act, in such a manner as may be prescribed by
4 rules made by the Council and shall be registered in the category of
5 membership appropriate in the current period for holders of the qualification
6 he possesses.

7 15.-(1)The Council may make rules for:

8 (a) The training of Chartered Emergency Manager;

9 (b) The supervision and regulation and or engagement and training
10 of Such persons; and

11 (c) The provision of articles.

12 (2)The Council may also make rules:

13 (a) Prescribing the amount and date for payment of the annual
14 subscription etc. and annual renewal of studentship and for such purpose
15 different amount may be prescribed by the rules accorded to different
16 categories of membership of the Institute:

17 (b) Prescribing the form of licence to practice to be issued as the
18 Council thinks fit, by endorsement on an existing licence;

19 (c) restricting the right to practice as a Chartered Emergency
20 Manager for any default in payment of the amount of the annual subscription
21 or any fee(s) which continue a longer time than such period as may be
22 prescribed by the rules;

23 (d) Prescribing the period of practical training for the office of a
24 Chartered Emergency Manager of Nigeria for such that when the training is
25 completed such a person qualifies for enrolment or a license to practice as a
26 Chartered Emergency Manager of Nigeria.

27 16.-(1)The Institute shall;

28 (a) Provide and maintain a library comprising books and
29 publications for the advancement of knowledge of Emergency, Crisis &
30 Risk Management and leadership as well as such other books and

Rules as to
Articles, etc.

Provision of
Library

1 publication as the Council may think necessary for the purpose;

2 (b) Encourage research into the skill and knowledge of Emergency,
3 Crisis & Disaster Risk Management and leadership and allied subjects to the
4 extent that the Council may, from time to time, consider necessary.

Regulations

5 17.-(1) Any regulations, made under this Bill shall be published as
6 soon they are made; and the Council shall as soon they are published make
7 available copies of any such regulations to the President of the Institute.

8 (2) Rules made subject to and in furtherance of this Act shall be subjected to
9 confirmation by the institute at its next annual meeting or any special meeting
10 of the institute convened for the purpose, and if then annulled shall ceased to
11 have effect on the day after the date of annulment, but without prejudice to
12 anything done in pursuance of any such rules.

13 INDISCIPLINE, OFFENCES & PENALTIES

Offence and
penalties

14 18.-(1) If any person for the purpose of procuring the enrolment or
15 registration of any name, qualification or other matters-

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

18 (b) recklessly makes a statement which is false in a material
19 particular, is guilty of an offence.

20 (2) If on or after the relevant date, any person who is not a member of
21 the institute practices as a Chartered Emergency Manager for or in expectation
22 of reward or uses any name, title, additional description implying that he is in
23 practice as a Chartered Emergency Manager, is guilty of an offence.

24 (3) If the registrar or any other person employed by or on behalf of the
25 Institute willfully makes any falsification in any matter relating to the register
26 he is guilty of the offence.

27 (4) A person guilty of an offence under this section is liable:

28 (a) On conviction after trial investigation and trial, to a fine of an
29 amount not exceeding N100,000; or

30 (b) On conviction or on indictment to a fine of an amount not

1 exceeding N100,000 or to imprisonment for a term not exceeding two years,
2 or to both such fine and imprisonment.

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

10 19.-(1) As from the commencement of this Act:

Transfer to the
Institute of certain
properties, etc.

11 (a) all assets and liabilities held or incurred immediately before the
12 commencement" date, by or on behalf of the Incorporated Institute shall, by
13 virtue of this subsection and without further assurance, vest in the Institute,
14 and be held by it for the benefit and purpose of the Institute;

15 (b) The Incorporated Institute namely Chartered Institute of
16 Emergency, Crisis & Disaster Risk Management of Nigeria Shall cease to
17 exist; and

18 (c) Subject to subsection (2) of this section, any act, matter or thing
19 made or done by the Incorporated Institute shall be deemed to have been
20 done by the Institute.

21 (2) The provisions of the Second Schedule to this Act shall have
22 effect with matters arising from their transfer by this section to the Institute
23 of the properties of the Incorporated Institute and with respect to other
24 matters mentioned in that schedule.

25 20. In this act, unless the context otherwise requires:

Interpretation t

26 "Chartered Emergency Manager" means a Chartered Emergency Manager
27 enrolled as a affiliate member, associate member, fellow, technical member,
28 professional member or graduate member of the Institute;

29 "Council" means the Council established as the governing body of the
30 Institute under section 4 of this Bill;

1 "enrolled" In relation to a fellow or full or associate member, means registered
2 in the part of the register relating to fellow or full or associate members, as the
3 case may be;

4 "Fees" includes annual subscription;

5 "Incorporated Institute" means the Chartered Institute of Emergency, Crisis &
6 Disaster Risk Management Academy of Nigeria;

7 "Institute" means the Chartered Institute of Emergency, Crisis & Disaster Risk
8 Management.

9 "Member" means a member of the Council and includes the President;

10 "Panel" has the meaning assigned thereto under section 14 of this Act;

11 "President" and "Vice-Presidents" means respectively the office holders under
12 these names in the Institution;

13 "Register" means the register maintained in pursuance of this Act;

14 "Registered graduate" means a member of the Institute who is not a fellow or
15 full member; and

16 "Tribunal" has the meaning assigned thereto under section 14 of this Act.

Short title

17 **21.** This Bill may be cited as the Chartered Institute of Emergency,
18 Crisis & Disaster Risk Management (Establishment, etc.) Bill, 2021.

1 SCHEDULES

2 FIRST SCHEDULE

3 1.-(1) Subject to the provisions of this paragraph, a member of the
4 Council apart from the president shall hold office for a period of two years
5 beginning with the date of his appointment or election:

6 (2) Any member of the Institute who ceases to be a member thereof
7 shall, if he is also a member of the Council cease to hold office in the
8 Council.

9 (3) Any elected member may by notice in writing under his hand
10 addressed to the President of the Institute of his or her intention to resign his
11 office.

12 (4) A person who retires from or otherwise ceases to be an elected
13 member of the Council shall be eligible again to become a member of the
14 Council and any appointed member may be reappointed.

15 (5) Elections to the Council shall be held in such a manner as may
16 be prescribed by the rules of the Council, and until so prescribed, they shall
17 be decided by a show of hands.

18 *Power of Council*

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

22 3. -(1) Subject to the provisions of this Bill, the Council may in the
23 name of the Institute make standing orders regulating the proceedings of the
24 Institute, the Council or any of the Institute's committees.

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

29 (3) The standing orders made for a committee shall provide that the
30 committee reports back to the Council on any matter not within its

1 competence to decide.

2 (4) The quorum of the Council shall be seven and the quorum of a
3 committee of the Council shall be determined by the Council.

4 *Meetings of the Institute*

5 4.-(1) The Council shall convene the annual meeting of the Institute
6 on 30th of June in every year or on such other day as the Council may from time
7 to time appoint so however that if the meeting is not held within one year after
8 the previous annual meeting, not more than fifteen months shall elapse
9 between the respective dates of the two meetings.

10 (2) A special meeting of the Institute may be convened if members of
11 the Institute require it by notice in writing addressed to the Registrar of the
12 Institute setting out the objects of the proposed meeting, the chairman of the
13 Council shall convene a special meeting of the Institute.

14 (3) The quorum of any meeting of the Institute shall be ten members
15 and that of any special meeting of the Institute shall be fifteen members.

16 *Meetings of the Council*

17 5.-(1) Subject to the provisions of any standing orders of the Council,
18 the Council shall meet whenever it is summoned by the chairman and if the
19 chairman is required to do so by notice in writing given to him by not less than
20 seven other members, he shall summon a meeting of Council to be held within
21 seven days from the date on which the notice is given.

22 (2) At any meeting of the Council, the chairman or in his absence the
23 1st, 2nd and 3rd vice-chairman shall preside, but if the three Vice Chairman are
24 absent the members present at the meeting shall appoint one of their members
25 to preside at the meeting.

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

1 (4) Notwithstanding anything in the foregoing provisions, the
2 meetings of the Council may be summoned by the Minister, who may give
3 such direction as he thinks fit as to the procedure which shall be followed at
4 the meeting.

5 6.-(1) The Council may appoint one or more committees to carry
6 out such functions as the Council may determine.

7 (2) A committee appointed under this paragraph shall consist of the
8 number of persons determined by the Council of whom not more than one
9 third shall be members of the Council and shall hold office in the committee
10 in accordance with the terms of the instrument by which he is appointed.

11 *Miscellaneous*

12 7.-(1) The fixing of the seal of the Institute shall be authenticated
13 by the signature of the President of the Institute or of some other member of
14 the Council authorized generally or specially by the Council to act for that
15 purpose.

16 (2) Any contract or instrument which, if made or executed by a
17 person not being a corporate body, would not be required to be under seal,
18 may be made or executed on behalf of the Institute or of the Council as the
19 case may require, by any person generally or specially.

20 8. The validity of any proceedings of the Institute or the Council or
21 of a committee of the Council shall not be adversely affected by any vacancy
22 in membership or by any defect in the appointment of a member of the
23 institute or of the cancelling of a person's name to serve on the committee, or
24 by reason that the person not entitled to do so took part in the proceeding.

25 9. Any member of the Institute or of the Council and any person
26 holding office on a committee of the Council, who has a personal interest in
27 any contract or arrangement entered into or proposed to be considered by the
28 Council on behalf of the Institute or on behalf of the Council or a committee
29 thereof, shall forthwith disclose his interest, to the President of the Institute
30 or the Council, as the case may be, and shall not vote on any question relating

1 to the contract or arrangement.

2 SECOND SCHEDULE

3 TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

4 1.-(1) Every agreement to which the Incorporated Institute was a
5 party immediately before the appointed day, whether in writing or not and
6 whether or not of such a nature that the rights, liabilities and obligation there
7 under could be assigned by the incorporated Institute, -shall, unless its terms or
8 subject matter make it impossible that it should have effect as modified in the
9 manner provided by these subparagraphs, have effect from the appointed by so
10 far as it relates to assets and liabilities transferred by this Bill to the Institute as
11 if:

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

13 (b) For any reference (however worded and whether expressed or
14 implied) to the corporate Institute, there were substitutions as regards anything
15 failing to be done on or after the appointed day.

16 (2) Other documents which refer, whether specifically or generally, to
17 the Incorporated Institute shall be construed in accordance with subparagraph
18 (1) of this paragraph so far as applicable.

19 (3) Without prejudice to the generality of the foregoing provisions of
20 this Schedule, whereby, by the operation of any of the provision of section 5 of
21 this bill, any right, liability or obligation vests in the Institute, the Institute and
22 all other persons shall, as from the appointed day, have the same rights, powers
23 and remedies (and in particular, the same rights as to the taking or resisting of
24 legal proceedings or the making or resisting of applications to any authority)
25 for ascertaining, perfecting or enforcing that right, liability or obligation as
26 they would have had at all times been a right, liability or obligation of the
27 Institute.

28 (4) Any legal proceedings or application to any authority pending on
29 the appointed day by or against the Incorporated Institute and relating to assets
30 or liabilities transferred by this Bill to the Institute, may be continued on or

1 after that day by or against the institute.

2 (5) If the law in force at the place where any property transferred by
3 this Act is situate, provides for the registration or transfer of property of the
4 kind in question (whether by reference as to an instrument of transfer or
5 otherwise), the law shall so far as it provides for alterations of a register (but
6 not for avoidance of transfer, the payment of fees or any other matter) apply
7 with the necessary modifications to the transfer of the property aforesaid;
8 and it shall be the duty of the Council to furnish the necessary particulars of
9 the transfer to the proper office of the registration authority, and for that
10 officer to register the transfer accordingly.

11 *Transfer of Functions Etc*

12 2.-(1) At its first meeting, the Council of the Institute shall fix a date
13 (not later than seven days after the appointed day) for the annual meeting of
14 the institute.

15 (2) The members of the Council of the Incorporated Institute shall
16 be deemed to be the members of the Council of the Institute until the date
17 determined in pursuance of the foregoing sub-paragraph when the Institute
18 shall have its first annual meeting and they shall cease to hold office at the
19 conclusion of such meeting.

20 (3) Any person who, immediately before the appointed day, held
21 office as the President or Vice-President of the Council of the Incorporated
22 Institute by virtue of the articles of the Incorporated Institute shall on, that
23 day become the President or, as the case may be, the Vice-President of the
24 Institute and shall be deemed to have been so appointed:

25 (a) To that office in pursuance of the provision of this Bill
26 corresponding to the relevant provision in the said articles of the
27 Incorporated Institute; and

28 (b) On the date on which he took office or last took office, in
29 pursuance of the relevant provision of those articles.

30 (4) The members of the Incorporated Institute shall, as from the

1 appointed day be registered as members of the Institute; and without prejudice
2 to the generality of the provisions of the Schedule relating to the transfer of
3 property, any person who, immediately before the appointed day, was a
4 member or staff of the Incorporated Institute, shall on that day become the
5 holder of an appointment with the Institute with the status, designation and
6 function which correspond as nearly as to those which appertained to him in his
7 capacity as a member or that staff.

8 (5) Any person being an office-holder or member of the Council of the
9 Incorporated Institute immediately before the appointed day and deemed
10 under this paragraph to have been appointed to like position in the Institute or
11 of the Council of the Institute who ceased to hold office otherwise than by
12 reason of his misconduct shall be eligible for the appointment to an office in the
13 Institute or to the membership of the Council as the case may be.

14 (6) All regulations rules and similar instrument made for the purpose
15 of the Incorporated Institute immediately before the appointed day shall,
16 except in so far as they are subsequently revoked or amended by any authority
17 having power in that behalf, have effect, with any necessary modifications, as
18 duly made for the corresponding purposes of the Institute.

19 THIRD SCHEDULE

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

22 1. The quorum of the Tribunal shall be four out of which at least two
23 shall be "Chartered Emergency Managers"

24 2.-(1) The Attorney-General of the Federation may make rules as to
25 the selection of members of the Tribunal for the purposes of any proceedings
26 and as to the procedure to be followed and the rules of evidence to be observed
27 in proceedings before the Tribunal.

28 (2) The rules in particular provide:

29 (a) For securing that notice of the proceedings shall be given at such
30 time and in such manner as may be specified by the rules, to the person who is

1 the subject of the proceedings;

2 (b) For determining who in addition to the person aforesaid, shall
3 be party to the proceedings;

4 (c) For securing that any party to the proceedings shall, if he so
5 requires, be entitled to be heard by the Tribunal;

6 (d) For enabling any party to the proceedings to be represented by a
7 legal practitioner;

8 (e) Subject to the provisions of section 12 (5) of this Act, as to the
9 costs of proceedings before the Tribunal;

10 (f) For requiring in a case where it is alleged that the person who is
11 in any professional respect, that where the Tribunal adjudge that the
12 allegation has not been proven, it shall record a finding that the person is not
13 guilty of such conduct in respect of the matter to which the allegation relates;

14 (g.) For publication in the Gazette notice of any direction of the
15 tribunal which has taken effect providing that a person's name shall be struck
16 off a register.

17 4. For the purposes of any proceedings before the Tribunal, any
18 member of the Tribunal may administer oaths and any party to the
19 proceedings may issue out of the registry of the Court of Appeal writs of
20 subpoena as testificandum and duces tecum;
21 but no person appearing before the Tribunal shall be compelled:

22 (a) to make any statement before the Tribunal tending to
23 incriminate himself; or

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

26 4.-(1) For the purpose of advising the Tribunal on questions of law
27 arising in proceedings there shall be an assessor to the Tribunal who shall be
28 appointed by the Council on the nomination of the Attorney-General of the
29 Federation and shall be a legal practitioner of not less than ten years
30 standing.

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

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

10 (b) every such party or person as aforesaid shall be informed if in any
11 case the Tribunal does not accept the advise of the assessor on such a question
12 as aforesaid.

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

17 *The Panel*

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

19 6.-(1) the panel may at any meeting of the Panel attended by all the
20 Members of the Panel, make standing orders with respect to the Panel.

21 (2) Subject to the provisions of any such standing orders, the Panel
22 may regulate its own procedure.

23 *Miscellaneous*

24 7.-(1) A person ceasing to be a member of the Tribunal or the Panel
25 shall be eligible for reappointment as a member of that body and be a member
26 of both the Tribunal and the Panel but no person who acted as a member of the
27 Panel with respect to any case shall act as a member of the Tribunal with respect
28 to that case.

29 8. The Tribunal or the Panel may act notwithstanding any vacancy in
30 its membership; and the proceedings of either body shall not be invalidated by

1 any irregularity in its composition if not challenged by a party who has the
2 right to do so.

3 9. Any expenses of the Tribunal or the Panel shall be defrayed by
4 the Institute.

EXPLANATORY MEMORANDUM

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

This Bill basically seeks to establish the Chartered Institute of Emergency, Crisis & Disaster Risk Management of Nigeria charged with the responsibility of advancing the study, training and practice of Emergency, Crisis, Disaster, Safety, Environmental and Risk Management in Nigeria.

