

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PROFESSIONAL SECRETARIAL STAFF OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Muhammad Umar Jega

[] Commencement

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

PART I - ESTABLISHMENT, ETC. OF THE CHARTERED INSTITUTE OF PROFESSIONAL SECRETARIAL STAFF OF NIGERIA

1 1.-(1) There is established the Chartered institute of Professional
2 Secretarial Staff of Nigeria (in this Bill referred to as "the CIPSSON")
3 which-

Establishment
of the Chartered
Institute of
Professional
Staff of Nigeria

4 (a) shall be a body Corporate with-
5 (i) perpetual succession, and
6 (ii) a Common Seal; which shall be kept in such custody as the
7 Council may direct.

8 (b) may sue and be sued in its corporate name: and
9 (c) may, subject to the Land Use Act, acquire, hold and dispose of
10 any property, moveable or immovable

11 (2) The "CIPSSON" shall have the general duty of-
12 (a) determining the standard of knowledge, skill and qualification
13 of persons seeking to become professional secretarial staff and raising those
14 standards from time to time as determined by circumstances.

15 (b) securing in accordance with the provisions of this Bill, the
16 establishment and maintenance of a register of members of the "CIPSSON"
17 and publication from time to time of lists of those persons and organizations.

18 (c) conducting, encouraging and sponsoring research in the field of
19 Secretarial practice, publishing and disseminating same;

1 (d) organizing, conducting, and regulating the education of current
2 and prospective professional Secretarial staff;

3 (e) maintaining and upholding the ethics of professional Secretarial
4 practice from time to time;

5 (f) regulating professional Secretarial practice in Nigeria;

6 (g) administering professional examinations in Secretarial practice;

7 (h) collaborating with other reputable examination bodies and/or
8 educational institutions;

9 (i) to provide continues education in Secretarial practice from time to
10 time; and

11 (j) to bring together all professional Secretarial staff in Nigeria.

12 (3) Subject to the provisions of this Bill, members or organizations
13 admitted into "CIPSSON" shall be enrolled in the following categories-

14 (a) Fellow - PCPS;

15 (b) Honorary fellow - FCPS (HON);

16 (c) Members - MCPS;

17 (d) Associate - ACPS;

18 (e) Graduate;

19 (f) Affiliate;

20 (g) Student.

21 (4) A person accorded any of the above status by the Council under
22 this Bill, shall be entitled to the use of the appropriate designatory letters as
23 approved by the Council from time to time.

24 (5) A person registered under this Bill shall be enrolled as a-

25 (a) Fellow - (FCPS) if-

26 (i) at the commencement of this Bill he was a fellow of the
27 Association of professional Secretarial Staff of Nigeria incorporated under the
28 companies and Allied Matters Act (in this Bill referred to as "APSSON").

29 (ii) he possess such qualities, qualifications and has achieved such
30 degree of attainment in Secretarial practice as prescribed by the appropriate

1 authority and has spent at least 15-20 years in the grade of an individual
2 member;

3 (b) Honorary fellow if-

4 (i) at the commencement of this Bill, he was an Honorary fellow of
5 "APSSON" or

6 (ii) has contributed immensely to the development and upliftment
7 of the profession in or outside Nigeria

8 (iii) he has been found to be a fit and proper person for Honorary
9 Fellowship by the body charged with the responsibility of selecting
10 awardees,

11 (c) Member-

12 (i) if at the commencement of this Bill he was a member of
13 "APSSON" or

14 (ii) is found by the Council to possess an adequate knowledge of
15 the profession and has spent the number of years to be determined by same
16 in secretarial practice;

17 (d) Associate if-

18 (i) at the commencement of this Bill, he was an Associate of
19 "APSSON",

20 (ii) he possesses qualifications which, in the opinion of the Council
21 are adequate, or

22 (iii) shall have completed a course of training approved by the
23 Council under this Bill,

24 (iv) is actively engaged in Secretarial practice;

25 (e) Graduate if-

26 (i) at the commencement of this Bill he was a Graduate member
27 of "APSSON" or

28 (ii) he possesses other qualifications acceptable to Council, and

29 (iii) satisfies the requirements for admission to the grade of a
30 Graduate member stipulated in the rules made under this Bill; ..

1 (f) Affiliate if-

2 (i) at the commencement of this Bill, he was an Affiliate of
3 "APSSON" or "APSSON";

4 (ii) Is a student of an institution of higher leaning recognized by
5 Council;

6 (iii) possesses qualifications acceptable to Council.

7 PART II - ELECTION/APPOINTMENT OF PRESIDENT 1ST AND 2ND VICE
8 PRESIDENTS AND OTHER OFFICERS OF THE "CIPSSON"

Election/
Appointment
of President,
1st and 2nd
Vice President/
other Officers

9 2.-(1) There shall be a National President of the "CIPSSON" who
10 must be a financial member and the Chairman of Council.

11 (2) There shall be the first Vice President of the "CIPSSON" who
12 must be a financial member and also a member of Council.

13 (3) There shall be a second vice' president of the "CIPSSON" who
14 must be a financial member and also a member of the Council.

15 (4) The President, 1st and 2nd vice presidents shall be elected at the
16 Annual General Meeting of the "CIPSSON".

17 (5) The President, 1st and 2nd Vice Presidents shall hold office for a
18 term of two years each in the first instance from the date of
19 election/appointment and may be eligible for re-election/appointment for
20 another term of two year and no more.

21 (6)(a) The president shall preside over all the meetings of the
22 "CIPSSON" and:

23 (b) In the event of death, incapacity or incapability for any reason,

24 (c) The 1st or 2nd Vice Presidents as the case may be shall fill the
25 vacancy for the un-expired portion of the term of office

26 (c) Reference in this Bill to the president shall in the circumstance be
27 construed accordingly.

28 (7) If the President or 1st and 2nd Vice Presidents of the "CIPSSON"
29 ceases to be a member he shall also cease to hold the office designated under
30 this section.

PART IV - FINANCIAL PROVISIONS

Management
of the Institute's
Fund

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5.-(1) The Council shall establish and maintain a fund, the management and control of which shall be in the hands of the Council and into which shall be paid:

(a) all monies received by the Council in pursuance of this Bill including fees, levies, grants, investitures, donations and honorariums;

(b) such monies as may be provided by donors, benefactors or other external sources.

(2) There shall be paid out of the Fund of the "CIPSSON":

(a) all reasonable expenditures incurred by the Council in the discharge of its functions under this Bill; and

(b) the remuneration, allowances of the Registrar and other staffs of the "CIPSSON" and

(3) The Council may invest its fund in any security such as treasury Bills, shares or any other security in Nigeria approved by it

(4) The Council may, from time to time, borrow money for the purposes of the "CIPSSON" and any interest payable on such money/monies so borrowed shall be paid out of the Fund.

(5) The council shall keep proper accounts on behalf of the "CIPSSON" in respect of each financial year and proper records in relation to close accounts and it shall cause the accounts to be audited by an Auditor appointed by it.

(6) The Auditor appointed for the purpose of this section shall not be a member of the Council.

PART V - THE REGISTRAR AND OTHER OFFICERS OF THE "CIPSSON"

Appointment
and duties of
the Registrar
and preparation
of the Register

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

(2) The Registrar shall be the Secretary to the Council and the Chief Executive of the "CIPSSON".

1 (3) The Registrar shall prepare and maintain, in accordance with
2 the rules made by the Council, a register of the names, addresses, approved
3 qualifications and other relevant particulars, as may be specified in the rules,
4 of the persons who are entitled to be enrolled as Fellows, Members,
5 Associates Graduate Members, Affiliates and Students or registered as
6 professional secretarial staff who apply to be so registered and of all
7 corporate bodies registered in accordance with this Bill;

8 (4) The Register shall consist of seven parts of which-

9 (a) the first part shall be in respect of Fellows;

10 (b) the second part shall be in respect of Members;

11 (c) the third part shall be in respect of Associates;

12 (d) the fourth part shall be in respect of Graduate Members;

13 (e) the fifth part shall be in respect of Affiliates;

14 (f) the sixth part shall be in respect of Students; and

15 (g) the seventh part shall be in respect of Corporate Members.

16 (5) Subject to the following provisions of this section, the Council
17 may make rules with respect to the form and keeping of the Register and the
18 making, of the entries therein, and in particular:

19 (a) regulating the making of applications for enrolment
20 registration, as the case may be and providing for the particulars to be
21 produced in support of application;

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

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

29 (d) Specifying the fees, including any annual subscription to be
30 paid to the "CIPSSON" in respect of the entry of names on the register;

1 (e) authorizing the Registrar to refuse to enter a name on the register
2 till any fee specified for the entry has been paid; and

3 (f) specifying any thing falling to be specified under the foregoing
4 provision of this section.

5 (6) Rules made for the purposes of paragraph (e) of subsection 5 shall
6 not come into force until confirmed at a special meeting of the Council
7 convened for that purpose or at next Annual General Meeting, as the case may
8 be.

9 (7) The Registrar shall-

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

13 (b) make, from time to time, any necessary alteration in the registered
14 particulars of registered persons;

15 (c) record the names of members of the "CIPSSON" who are in
16 default for more than one year in the payment of the annual subscriptions, and
17 to take such action in relation thereto (including removal of the names of such
18 persons from the register) as the Council, under this Bill may direct or require.

19 (8) If the Registrar-

20 (a) sends by post to any registered person a registered letter addressed
21 to that person at his address on the register enquiring whether the registered
22 particulars relating to him are correct and receives no reply to the letter within a
23 period of three months from the date of posting or a period to be determined by
24 Council having regards to the circumstances; and

25 (b) upon the expiration of the period sends in the like manner to the
26 person in question a second similar letter and receives no reply to that letter
27 within one month from the date of posting or a period to be determined by
28 Council having regards to the circumstances.

29 (9) the Registrar may remove the particulars relating to the person
30 from the register and the Council may direct the Registrar to restore to the

1 appropriate part of the register any particulars removed there from under this
2 subsection

3 7.-(1) The Registrar shall-

4 (a) cause the register to be printed, published, and put on sale to
5 members of the public not later than twelve months from the
6 commencement of this Bill:

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

11 (c) cause a print of each edition of the register and of each list of
12 corrections to be deposited at the principal office of the "CIPSSON", and the
13 council shall keep the register and lists so deposited and make same
14 available at all reasonable times for inspection by members of the Public.

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

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

28 PART VI - REGISTRATION

29 8.-(1) Subject to section 12 of this Bill and Rules made under
30 sections 6 (5) and 15 of this Bill, a person shall be entitled to be enrolled or

Publication of
Registry and List
of Evidence Value

Registration of
Training and
Development
Practitioners

1 registered as a member of the "CIPSSON" if he:

2 (a) possesses the relevant qualification as may be approved from time
3 to time, by the Council and is successful in all the prescribed examination or;

4 (b) qualifies for enrolment as a member in any of the categories
5 specified in this Bill.

6 (c) holds a qualification granted outside Nigeria for the time being
7 accepted by the "CIPSSON" and satisfy the Council that he has had sufficient
8 practical experience in Secretarial practice

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

11 (a) is of a good character and high integrity;

12 (b) has attained the age of 2 years; and

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

15 (3) The Council may, from time to time, publish particulars or
16 qualifications for the time being accepted by it for registration.

17 (4) The Council may in its discretion reject a qualification produced
18 in respect of an application for registration under this section or direct that the
19 application be renewed within such period as may be specified in the direction.

20 (5) Any entry directed to be made in the register under subsection (4)
21 of this section shall show that registration is provisional and no entry so made
22 shall be converted to full registration without the consent of the Council in
23 writing in that behalf.

24 (6) A member who passed the institutes final examination or has
25 attained associate grade of the institute shall continue to progress to grade level
26 17 with a special career path created.

27 APPROVAL OF QUALIFICATIONS, ETC.

28 9.-(1) The Council may approve any institution(s) for the purposes of
29 this Bill and may for those purposes, approve:

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

1 for persons who ,are seeking to become or are already members of the
2 "CIPSSON" and which the Council considers is designed to confer on
3 persons completing it, sufficient knowledge and skill for admission to the
4 "CIPSSON";

5 (b) any qualification which, as a result of an examination taken in
6 conjunction with a course of training approved by the Council under this
7 section, is granted to candidates reaching a standard at the examination,
8 indicating, in the opinion of the Council, that candidate has sufficient
9 knowledge and skill to practice as a secretarial staff

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

13 (a) give notice that it proposes to withdraw such approval to each
14 person in Nigeria appearing to the Council to be a person by whom the
15 course is conducted or the qualification is granted or the institution is
16 controlled, as the case may be;

17 (b) afford such person an opportunity of making to the Council
18 representations with regards to the proposal; and

19 (c) take into consideration any representation made as respect of
20 the proposal pursuant to paragraph (b) of this section.

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

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

1 instrument and the Council shall;

2 (a) publish, as soon as possible, a copy of every such instrument in the
3 Gazette; and

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

6 SUPERVISION AND INSTRUCTION, ETC.

Supervision and
Instruction and
Examination
leading to
approval

7 10.-(1) The members of the Council shall keep themselves informed
8 of the nature of:

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

11 (b) the examinations as a result of which approved qualifications are
12 granted, and for the purposes of performing that duty, the Council may appoint
13 a committee, either from among its own members or otherwise, to visit
14 approved institutions or to attend such examinations.

15 (2) The committee appointed under subsection (1) of this section shall
16 report to the Council on;

17 (a) the adequacy of the instruction given to persons attending
18 approved course of training at institutions visited by it;

19 (b) the adequacy of the examinations attended by it; and

20 (c) any matters relating to the institutions or examinations which the
21 Council may, either generally or in a particular case, request it to report:

22 PROVIDED always that no member of the committee shall interfere
23 with the giving of any instruction or holding of any examination.

24 (3) On receipt of a report made in pursuance of this section, the
25 Council may, if it deems fit, and shall, if so required by the "CIPSSON", send a
26 copy of the report to the person appearing to the Council to be in charge of the
27 institution or responsible for the examinations to which the report relates
28 requesting that person to make observations on the report to the Council within
29 such period as may be specified in the request, not less than one month from the
30 date of the request.

PART VII - PROFESSIONAL DISCIPLINE

11-(1) There shall be a body to be known as CIPSSON DISCIPLINARY TRIBUNAL (in this Bill referred to as the "Tribunal") which shall be charged with the responsibility of considering and determining all cases referred to it by the Panel established under subsection (3) of this section of this Bill.

Establishment
of Disciplinary
Committee and
Investigating

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

(3) There shall be a body, to be known as the "CIPSSON" fact finding panel (in this Bill referred to as "the Panel"), which shall be charged with the duty of:

(a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a member of the "CIPSSON";

(b) or should, for any reason, be the subject of proceedings before the "Tribunal"; and

(c) deciding whether the case shall be referred to the "Tribunal".

(4) The Panel shall be appointed by the Council and shall consist of two members of the Council and five duly registered members of the "CIPSSON" who are not members of the Council

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

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

PENALTIES FOR PROFESSIONAL MISCONDUCT

12.-(1) Where-

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

(b) a member is convicted, by any Court of competent jurisdiction

Penalties for
Unprofessional
Conduct

1 in Nigeria or elsewhere for an offence (whether or not punishable with
2 imprisonment) which in the opinion of the Tribunal is incompatible with the
3 status of a member of the "CIPSSON" or;

4 (c) the Tribunal is satisfied that the name of any person has been
5 fraudulently registered;

6 (d) The Tribunal may, if it deems fit, give a direction reprimanding
7 that person or ordering the Registrar to strike his name off the relevant part of
8 the register.

9 (2) The Tribunal may, if it deems it necessary, defer or further defer its
10 decision as to the giving of a direction under subsection (1) of this section until
11 its subsequent meeting but:

12 (a) a decision shall not be deferred under this subsection for periods
13 exceeding two years in the aggregates; and

14 (b) as far as possible, no person shall be a member of the "Tribunal"
15 for the purposes of reaching a decision which has been deferred or further
16 deferred, unless he was present as a member the "Tribunal" when the decision
17 was deferred.

18 (3) For the purposes of subsection (1) (b) of this section, a person shall
19 not be treated as convicted pending the final determination of an appeal if any
20 against the conviction.

21 (4) When the "Tribunal" gives a direction under subsection (1) of this
22 section, it shall cause notice of the direction to be served on the person affected.

23 (5) The person affected may, at any time within 90 days Chartered
24 Institute of Professional Secretarial Staff of Nigeria from the date of service on
25 him of notice of the direction appeal to the "Tribunal" which may review its
26 decision.

27 (6) A person whose name is removed from the register on the direction
28 of the "Tribunal" under subsection (1) (c) of this section shall not be entitled to
29 be registered again except in pursuance to a direction in that behalf given by the
30 "Tribunal" on the application of that person; and, a direction under this section

1 for the removal of a person's name Whom the register may prohibit an
2 application under this section by that person until the expiration of such
3 period Whom the date of the direction (and where he has duly made such an
4 application, Whom the date of his last application) as may be specified in the
5 direction

6 PART VIII - MEMBERSHIP OF THE "CIPSSON"

7 13.-(1) At the commencement of this Bill, any person who was not Membership
8 a member of "APSSON", but for this Bill, would have been qualified to
9 apply and obtain membership, may within the period of 3 months from the
10 commencement of this Bill, apply for membership in such a manner as may
11 be prescribed by the rules made by the Council and, if approved, he shall be
12 enrolled or registered, as the case may be, according to his qualifications.

13 (2) A person shall be deemed as a member of the "CIPSSON" if:

14 (a) he is a practicing secretary employed in the public or Private
15 sector or self employed;

16 (b) He holds himself out to the public as a professional secretarial
17 practitioner;

18 (c) he is a retired professional secretarial staff; or

19 (d) he renders any other service which may, by regulations made by
20 the Council, be designated as service constituting practice in secretarial
21 training sector.

22 RULES AS TO ARTICLES, ETC.

23 14.-(1) The Council may make rules for;

24 (a) the training of suitable persons as professional secretarial staff;

25 (b) the supervision and regulation of the engagement, of such
26 person;

27 (c) the registration and licensing of persons to practice and/or be
28 employed as professional secretarial staff;

29 (d) fees to be paid by members of the "CIPSSON"; and

30 (e) restrictions on the right to practice when all prescribed

Application of
Act to enrolled

1 conditions have not been met.

2 (2) The Council may also make rules prescribing the amount and due
3 date for payment of the annual subscription and for such purpose different
4 amount may be prescribed by the rules according to membership grades of
5 Fellow, Honorary Fellow, Members, Associate, Graduate, Affiliate and
6 Student.

7 (3) Rules when made shall, if the Chairman of the Council so directs,
8 be published and circulated to members the Council shall be free to confer
9 Honorary Membership or Merit Award of the "GIPSSON" on persons or bodies
10 considered worthy of such honour on terms and conditions prescribed by it.

11 PROVISION FOR LIBRARY

When person
is deemed
practitioner in
training and
development

12 15.-(1) The "CIPSSON" shall:

13 (a) provide and maintain a library comprising books and publications
14 for the advancement of the knowledge of secretarial practice and such other
15 books and publications as it may deem necessary for the purpose; and

16 (b) encourage research into secretarial practice and Allied matters to
17 the extent that the Council may from time to time consider necessary.

18 REGULATIONS

Rules to
Practicing Fee

19 16.-(1) Any regulations:

20 (a) made for the purposes of this Bill shall be published in the Gazette
21 as soon as may be possible after it has been made.

22 (2) Rules made for the purposes of this Bill shall be:

23 (a) subject to confirmation by the Council at any Meeting of the
24 "CIPSSON" summoned for that purpose and;

25 (b) if annulled, shall cease to have effect on the day after the date of
26 annulment but;

27 (c) without prejudice to anything done pursuant or intended in
28 pursuance of any such rule.

Facilities

29 17.-(1) On the commencement of this Bill:

30 (a) if a person for the purpose of procuring the registration of any

1 name, qualification or other matters;

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

4 (c) recklessly makes a statement which is false in material
5 particular; or

6 (d) he commits an offence.

7 *Regulations and Rules*

8 (2) If, on or after the commencement of this Bill:

9 (a) a person not a member of the "CIPSSON";

10 (b) practices as a registered member of the "CIPSSON":

11 (i) in expectation of reward;

12 (ii) takes or uses any name;

13 (iii) title, addition or description;

14 (iv) implying that he is in practice as a registered member of the
15 "CIPSSON"; or

16 (v) commits an offence.

17 *Transfer to Institute of Certain Property*

18 (3) Provided that in the case of a person who applied under section
19 13 of this Bill:

20 (a) this subsection shall not apply in respect of anything done by
21 him;

22 (b) during the period of three months mentioned.

23 (4) If within that period, he duly applied for membership of the
24 "CIPSSON":

25 (a) unless he is notified within that period that his application has
26 not been approved,

27 (b) this subsection shall not apply in respect of anything done by
28 him,

29 (c) between the end of that period and the date on which he is
30 enrolled or registered or is notified.

- 1 (5) If, on or after the Commencement of this Bill:
2 (a) a registered member of the "CIPSSON";
3 (i) holds himself out as a practitioner;
4 (ii) takes or uses any name, title, addition or description;
5 (iii) implying that he is a member of the "CIPSSON";
6 (iv) of a grade other than that which he is enrolled;
7 (v) registered under this Bill; or
8 (vi) he commits an offence.

9 *Offence*

- 10 (6) If the Registrar or any other person:
11 (a) employed by or on behalf of the "CIPSSON";
12 (b) willfully makes any falsification in any matter relating to the
13 register;
14 (c) he commits an Offence.
15 (7) A person guilty of an offence under this section:
16 (a) shall be liable:
17 (i) on summary conviction to a fine not exceeding N1,000;
18 (ii) on conviction on indictment to fine of an amount not exceeding
19 N5,000;
20 (iii) to imprisonment for a term not exceeding two years;
21 (iv) to both such fine and imprisonment.
22 (8) Where an offence under this section, which has been committed
23 by-
24 (a) a body corporate is proved to have been committed;
25 (b) with the consent or connivance of; or
26 (c) to be attributable to any neglect on the part of:
27 (i) any director,
28 (ii) manager,
29 (iii) secretary,
30 (vi) other similar officers of the body corporate; or

- 1 (v) any person purporting to act in any such capacity.
2 (d) he as well as the body corporate;
3 (e) shall be deemed to be guilty of that offence; and
4 (f) shall be liable to be proceeded against, and punished
5 accordingly.

6 18. In this Bill, unless the context also requires-

Interpretation

- 7 "Affiliate" means member of the "CIPSSON" registered in the Affiliate
8 grade "APSSON" means Association of Professional Secretarial Staff of
9 Nigeria (a corporate body registered under the Companies and Allied Matter
10 Act);
11 "associate" means a member of the "CIPSSON" registered in the Associate
12 category;
13 "Bill" means this Bill;
14 "Chairman" means the Chairman of the Council;
15 "CIPSSON" means Character Institution of Professional Secretarial Staff of
16 Nigeria;
17 "Council" means the Council established as the governing body of the
18 CIPSSON under section 3 of this Bill;
19 "Enrolled" in relation to Fellow, Honorary Fellow, member, Associate,
20 Graduate, Affiliate, Student means registered in the prot of the register
21 relating to Fellow ,Honorary Fellow, Member, Associate, Graduate Affiliate
22 and Student as the case may be;
23 "Fees" includes annual subscriptions;
24 "Fellows" means the board of Fellows appointed under section 4 (1) of this
25 Bill;
26 "Honourarium" means the amount paid to ad-hoc staff;
27 "Member" means member of the "CIPSSON";
28 "Minister" means the Minister of Education;
29 "President" and "Vice-President" means respectively office holders under
30 those names in the "CIPSSON";

1 "Register" means the register maintained as required under section 6 (3) of this
2 Bill;

3 "Registrar" means the registrar appointed by the Council under section 6 (1) of
4 this Bill;

5 "Tribunal" has the meaning assigned thereto in this Bill.

Citation

6 19. This Bill may be cited as the Chartered Institute of Professional
7 Secretarial Staff of Nigeria Bill, 2019.

8 SCHEDULES

9 FIRST SCHEDULE

10 Section 3 (3)

11 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

12 *Qualification and Tenure of Council Members*

13 1. Subject to the provisions of this Bill every appointed/elected
14 member of the Council with the exception of the Registrar shall hold office for
15 two years at the first instance and may be reappointed/re-elected for a further
16 term of two years in the same office without more.

17 (2) A person who ceases to be a member of the "CIPSSON" shall, if he
18 is also a member of the Council, cease to hold such office.

19 (3) An appointed/elected member may, by notice in writing under his
20 hand addressed to the chairman, resign his office.

21 (4) A person who resigns from or otherwise ceases to be a member of
22 the Council shall be eligible for re-election.

23 (5) Appointment/election shall be done/held in such manner as may
24 be prescribed by the Council from time to time

25 (6) If for any reason there is a vacancy in the office of a member of the
26 Council-

27 (a) such vacancy shall be filled by the appointment /election of a fit
28 and proper member to complete the un-expired portion of the term of that
29 Council member;

30 (b) Provided always that the Council shall make rules for such

1 appointment/election.

2 *Power of Council*

3 2. The Council shall have power to do anything which in its
4 opinion is calculated to facilitate the carrying on of the activities of the
5 "CIPSSON".

6 *Proceedings of Council*

7 3.-(1) Subject to the provisions of this Bill, the Council may, in the
8 name of the "CIPSSON", make standing orders regulating the proceedings
9 of the Council, and in the exercise of its powers under this Bill, may set up
10 committees in the general interest of the "CIPSSON" and make standing
11 orders therefore.

12 (2) Standing orders shall provide for decisions to be taken by a
13 majority of the members, and, in the event of equality of votes, the
14 Chairman, shall have a second or casting vote.

15 (3) Standing orders made for a committee shall provide that the
16 committee is to report back to the Council on any matter not within its
17 competence to decide.

18 (4) The quorum of the Council shall be twelve and the quorum of a
19 committee of the Council shall be fixed by the Council.

20 *Meetings*

21 *(a) of the Institute*

22 4.-(1) The Council shall convene the annual meeting of the
23 "CIPSSON" on such day and month as it may, determine annually so
24 however that if the meeting is held within one year after previous annual
25 meeting not more than thirteen months shall elapse respective dates of the
26 two meetings.

27 (2) A special meeting of the "CIPSSON" may be convened by the
28 Council at anytime; if more than one hundred members require it by notice
29 in writing addressed to the Registrar setting out the objects of the proposed
30 meeting.

1 (3) The Quorum of any meeting of the "CIPSSON" shall at list fifty
2 (50) financial members.

3 (b) of the Council

4 5.-(1) Subject to the provisions any standing orders of the Council, the
5 Council shall meet when ever it is summoned by the Chairman, and if the
6 Chairman is required to do so by notice in writing giving to him by not less than
7 seven (7) other members, he shall summoned a meeting of the Council within
8 seven (7) days of the service of the notice.

9 (2) At any meeting of the Council, the Chairman or in his absence the
10 1st and 2nd Vice Presidents as the case may shall preside, but if both are absent,
11 the members present at the meeting shall appoint one of them to preside at that
12 meeting.

13 (3) Where the Council desires to obtain advice from any person on a
14 particular matter, the Council may co-opt that person as a member for such
15 period as the Council may deem fit but a person who is a member by virtue of
16 this provision shall not be entitled to vote at any meeting of the Council and
17 shall not count towards a quorum.

18 (4) Notwithstanding any thing in the foregoing provisions of this
19 paragraph, the first meeting of the Council shall be summoned by the Chairman
20 of the Council who may give such directions as he thinks fit as to the procedure
21 which shall be followed at the meeting.

22 Committee

23 6.-(1) The Council may appoint one or more committees to carry out
24 on behalf of the "CIPSSON" such functions as it may determine.

25 (2) A committee appointed under this paragraph shall consist of the
26 number of persons determined by the Council and a person other than a
27 member of the Council shall hold office in the committee in accordance with
28 the terms of the instrument by which he is appointed.

29 (3) A decision of a committee is null and void if not confirmed by the
30 Council.

Miscellaneous

1
2 7.-(1) The fixing of the seal of the "CIPSSON" shall be
3 authenticated by the signature of the Chairman or another member of the
4 Council authorized generally Or specially to act for that purpose.

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

9 (3) Any document purporting to be duly executed under the seal of
10 the "CIPSSON" shall be received in evidence and shall, unless the contrary
11 is proved, be deemed to be so executed.

12 (4) The validity of any proceedings of the "CIPSSON" or the
13 Council or of a committee of the Council shall not, be adversely affected by
14 any vacancy in the membership, or by any defect in the appointment of a
15 member of the "CIPSSON" or the Council or a person serving on the
16 Committee or by reason that a person not entitled to do so took part in the
17 proceedings.

18 (5) Any member of the "CIPSSON" or of the councilor any person
19 holding office in a committee of the Council, who has a personal interest in
20 any Contract, or arrangement entered into or proposed to be Considered by
21 the Council On behalf of the "CIPSSON", or on behalf of the Council, or a
22 committee thereof, shall forthwith disclose his interest to the Chairman of
23 the Council, and shall not Vote On any question relating to the said Contract
24 or arrangement.

25 (6) A person shall not, by reason only of his membership of the
26 "CIPSSON", be required to disclose any interest relating solely to the audit
27 of the account of the "CIPSSON".

1 SECOND SCHEDULE

2 TRANSITIONAL PROVISIONS AS TO PROPERTY, ETC.

3 *Transfer of Institute*

4 1.-(1) Every agreement to which the former "APSSON" was a party
5 immediately before the commencement of this Bill, whether in writing or not
6 and whether or not of such a nature that the rights, liabilities and obligations
7 thereunder could be assigned by the "APSSON" shall, unless its term or subject
8 matter is impossible that it should have effect as modified in the manner
9 provided by this subparagraph, have effect/from the commencement of this
10 Bill, so far If as it relates to assets and liabilities transferred by this Bill to the
11 "CIPSSON", as if-

12 (a) the "CIPSSON" had been a party to the agreement;

13 (b) for any reference (however worded and whether express or
14 implied) to the "CIPSSON", there were substituted, as respect anything falling
15 to be done on or after the commencement of this Bill, a reference to the
16 "CIPSSON";

17 and

18 (c) For any reference (however worded and whether express or
19 implied) to a member or members of the National Executive Council (NEC) of
20 "APSSON" or an officer of "APSSON", there were substituted, respect to
21 anything failing to be done on or after the commencement of this Bill, a
22 reference to a member or members of the Council under this Bill or the officer
23 of the "APPSON" who corresponds as nearly as may be to be member or officer
24 in question of the "APSSON".

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

28 (3) Without prejudice to the generality of the provisions of this
29 Schedule, where, by the operation of any of them or for section 19 of this Bill,
30 any right, liability or obligation vested in the "CIPSSON" the "CIPSSON" and

1 all other persons shall; as from the commencement of this Bill, have the
2 same rights, powers and remedies (and in particular, the same rights as to the
3 taking or resisting of legal proceedings or applications to any authority) for
4 ascertaining, perfecting or enforcing that right, liability or obligation as they
5 would have had if it had at all times been a right, liability or obligation of the
6 "CIPSSON".

7 (4) Any legal proceeding or application to any authority pending at
8 the commencement of this Bill by or against the "APSSON" and relating to
9 property transferred by this Bill to the "CIPSSON" may be continued on or
10 after that day by or against the "CIPSSON".

11 (5) If the law in force at the place where any property transferred by
12 this Bill is situated provides for the registration of transfers of property of the
13 kind in question (whether by reference to an instrument of transfer or
14 otherwise) the law shall, so far as it provides for alterations of a register (but
15 not for avoidance of transfer, the payment of fees or any other matter) apply,
16 with the necessary modifications, to the transfer of the property aforesaid;
17 and it shall be the duty of the Council to furnish the necessary particulars of
18 the transfer to the proper officer of the registration authority, and of that
19 officer to register the transfer accordingly.

20 *Transfer of Function, etc.*

21 2.-(1) At its first meeting, the Council of the "CIPSSON" shall fix a
22 date, not later than three months after the commencement of this Bill, for the
23 annual general meeting of the "CIPSSON".

24 (2) The members of the National Executive Council (NEC) of the
25 "APSSON" shall be deemed to be members of the Council of the
26 "CIPSSON" until the date determined in pursuance of the forgoing
27 subparagraph when the "CIPSSON" shall have its first annual general
28 meeting, and they shall cease to hold office at the conclusion of such
29 meeting.

30 (3) The members of the "APSSON" shall, as from the

1 commencement or this Bill, be registered as members of the "CIPSSON"; and
2 without prejudice to the generally of the provisions of this Schedule relating to
3 tile transfer of property, any person who, immediately before the
4 commencement of this Bill, was a member of the staff of the "APSSON" shall
5 on that day become the holder of an appointment with the "CIPSSON" with the
6 status, designation and functions which correspond as nearly as may be
7 possible to those which appertained to him in his capacity as a member of that
8 staff.

9 (4) All regulations, rules and similar instruments made for the
10 purposes of "APSSON" and in force immediately before the commencement
11 of this Bill, shall, except in so far as they are subsequently revoked or amended
12 by any authority having power in that behalf, have effect, with any necessary
13 modifications, as if duly made for the corresponding purposes of the
14 "CIPSSON".

15 THIRD SCHEDULE

16 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

17 COMMITTEE AND INVESTIGATING PANEL

18 *Section 11(5)*

19 *The Tribunal*

20 1. The quorum of the Tribunal shall be four of whom at least two shall
21 be registered members.

22 2.-(1) The Chief Justice of Nigeria shall make rules as to the selection
23 of members of the Tribunal for the purposes of any proceedings and as to the
24 procedure to be followed and the rules of evidence to be observed in the
25 proceedings before the Tribunal.

26 (2) The rules shall in particular provide:-

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

30 (b) for determining who, in addition to the person aforesaid, shall be a

1 party to the proceedings;

2 (c) for securing that any party to the proceedings shall, if he so
3 requires, be entitled to be heard by the Tribunal;

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

6 (e) subject to the provisions of this Bill, as to costs of the
7 proceedings before the Tribunal;

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

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

16 (3) for the purpose of any proceeding before the Tribunal, any
17 member of the Tribunal may administer oaths and any party to the
18 proceedings may issue out of the registry of the High Court writs of
19 subpoena ad testificandum and ducestecum; but no person appearing before
20 the Tribunal shall be compelled to-

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

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

25 4.-(1) For the purpose of advising the Tribunal on questions of law
26 arising in the proceedings before it, there shall, in all such proceedings, be an
27 assessor to the Tribunal who shall be appointed by the Council on the
28 nomination of the Attorney-General of the Federation and shall be a legal
29 practitioner of not less than ten years standing.

30 (2) The Attorney-General of the Federation shall make rules as to

1 the functions of assessors appointed under this paragraph, and in particular,
2 such rules shall contain provisions for securing:

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

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

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

16 *The Panel*

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

18 6.-(1) The Panel may, at any meeting of the Panel attended by the
19 members of the Panel, make standing orders with respect to the Panel.

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

22 *Miscellaneous*

23 7.-(1) A person ceasing to be a member of the Tribunal or the Panel
24 shall be eligible for reappointment as a member of that body.

25 (2) A person may, if other wise eligible, be a member of both the
26 Tribunal and the Panel; but no person who acted as a member of the Panel with
27 respect to any case shall act as the member of the Tribunal with respect to that
28 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 the appointment of a member of the body or by reason of
2 the fact that any person who was not entitled to do so took part in the
3 proceedings of that body.

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

7 10. Any expenses of the Disciplinary Committee or the Panel shall
8 be defrayed by the Council.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the "CIPSSON" with the responsibility for regulating Secretarial Practice in Nigeria. This Bill also seeks to provide penalties for violation of any of its provisions.

