

NATIONAL INSTITUTE FOR HOSPITALITY AND TOURISM
(ESTABLISHMENT) BILL, 2019
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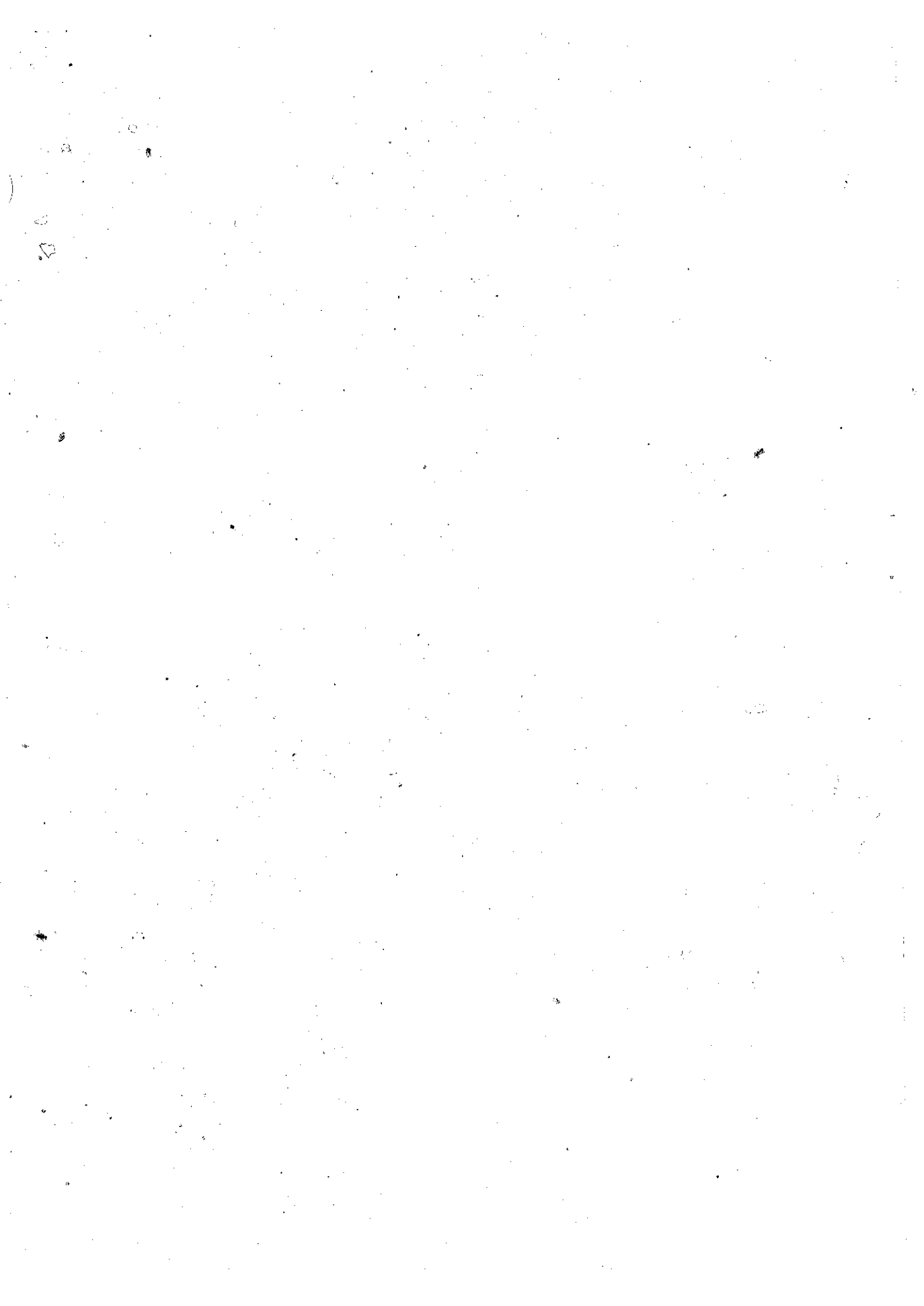
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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR HOSPITALITY AND TOURISM FOR TRAINING, CERTIFICATION AND REGISTRATION OF HOSPITALITY, TRAVEL AND TOURISM PERSONNEL IN NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Gideon Gwani

[] Commencement

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

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PART I - OBJECTIVES AND APPLICATION

1. The objects of the Institute shall be to-

- (a) educate, train, certify and register personnel in the field of hospitality, travel, tourism and equip practitioners in the industry to cope with the dynamics in the field of tourism;
- (b) develop basic intermediate and advanced skills to upgrade personnel in the field of the hospitality, travel and tourism industry;
- (c) maximise the gains of the industry to the economy of Nigeria and develop a human resource base for Nigeria, Africa and the world; and
- (d) certify and register qualified personnel in the hospitality, travel and tourism sector in an approved register.

2. This Act applies throughout the Federal Republic of Nigeria.

PART II - NATIONAL INSTITUTE FOR HOSPITALITY AND TOURISM

3.-(1) There is established the National Institute for Hospitality and Tourism (in this Bill referred to as "the Institute").

(2) The Institute-

- (a) is a body corporate with perpetual succession and a common seal; and
- (b) may sue or be sued in its corporate name.

Objectives of the Institute

Application

Establishment of National Institute for Hospitality and Tourism

1 (3) The Institute may acquire, own, hold, purchase, dispose, mortgage
2 and deal with property, movable or immovable, real or personal, in its
3 corporate name.

4 (4) This Act establishes a bench mark subject to the provisions of the
5 Constitution of the Federal Republic of Nigeria for the training, certification
6 and registration of hospitality and tourism personnel in Nigeria or any law
7 passed by the National Assembly.

8 (5) The Institute shall be in Abuja, Nigeria and it may have campuses
9 in any part of Nigeria for the purpose of performing its functions under this
10 Bill.

Functions of
the Institute

11 4. The Institute shall-

12 (a) provide full-time and part-time courses of instruction,
13 professional, technical and specialised training in hospitality, travels and
14 tourism;

15 (b) provide managerial and supervisory training in the hospitality,
16 travel and tourism industry;

17 (c) operate as a Sector Skills Board (SSC) and Training Provider for
18 the delivery of National Vocational Qualifications (NVQs) in Nigeria subject
19 to extant laws;

20 (d) cooperate with the Standard Organisation of Nigeria and relevant
21 bodies in updating internationally certified personnel of the hospitality, travel
22 and tourism industry in Nigeria;

23 (e) determine the standard of knowledge, content and skills to be
24 attained by persons seeking to become members of the hospitality, travel and
25 tourism profession and review the standard from time to time as circumstances
26 may permit;

27 (f) maintain a register of fellows, associates and registered members
28 entitled to practice as hospitality, travel and tourism professionals in Nigeria
29 and the publication of lists of those persons;

30 (g) cooperate with relevant bodies in developing and updating the

1 national training curriculum for all levels of personnel in the hospitality,
2 travel and tourism industry by-

3 (i) organising and facilitating staff development programmes and
4 supervisors in approved educational institutions and the hospitality, travel
5 and tourism industry such as study courses, conferences, lectures,
6 workshops, seminars in the industry, and

7 (ii) issuing certificates of merit and attendance to successful
8 participants in the courses and training;

9 (h) provide consultancy services in hospitality, travel and tourism
10 industry and accept national and international reputable consultants to the
11 Institute;

12 (i) provide training for trainers in the hospitality, travel and tourism
13 industry;

14 (j) award certificates and diplomas as appropriate;

15 (k) establish and maintain a library for research on hospitality,
16 travel and tourism and matters connected with the industry;

17 (l) undertake and provide for the publication of journals, research
18 papers, books and magazines on hospitality, travel and tourism;

19 (m) provide a forum at which representatives of both public and
20 organised private practitioners and proprietors of institutions in the
21 hospitality and tourism industry meet to exchange ideas and information on
22 developments in the hospitality and tourism industry;

23 (n) organise seminars and workshops on tourism, hospitality and
24 travel trade practices for the purpose of quality control;

25 (o) ensure that all practitioners in the hospitality, travel and tourism
26 sub-sectors are certified by the Institute in order to ensure a common
27 standard;

28 (p) affiliate with any university or tertiary institution to offer
29 programmes in hospitality, travel and tourism;

30 (q) source for funds and technical assistance to carry out its

1 functions, activities and programmes as provided in this Act;

2 (r) in conjunction with any professional body, government or
3 organisation, carry out its functions, activities and programmes as provided in
4 this Act;

5 (s) enter into such contracts as may be necessary and expedient for
6 carrying into effect the provisions of this Bill;

7 (t) acquire and hold such movable and immovable property as may be
8 necessary or expedient for carrying into effect the provisions of this Act and,
9 for the same purpose, sell, lease, mortgage, allocate or dispose of any property;

10 (u) establish such faculties, institutes, schools, extra-mural
11 departments and other teaching and research units throughout Nigeria as may
12 be necessary, subject to the approval of the Board, for effective education,
13 training and administrative convenience of the Institute; and

14 (v) carry out such activities as are necessary or expedient for the
15 performance of its functions under this Bill.

Powers of the
Institute

16 5.-(1) The Institute may, in addition to any other power contained in
17 this Bill-

18 (a) set conditions and standards for institutions or organisations
19 offering courses in hospitality, travel and tourism management or skill in
20 Nigeria;

21 (b) approve programmes or courses of training for institutions or
22 organisations offering courses in hospitality, travel and tourism management
23 or skill in Nigeria;

24 (c) assess and grade personnel and quality of services rendered by a
25 practitioner or organisation in the hospitality, travel and tourism industry in
26 Nigeria;

27 (d) impose subscriptions, fees, levies, penalties and other charges for
28 services rendered to private individuals, corporate bodies, institutions,
29 organisations and groups;

30 (e) assess relevant records, documents and training equipment or

1 materials of any institution, tourism or hospitality personnel to which this
2 Act applies for the purpose of inspection or investigation and grading;

3 (f) require a person in apparent control of any hospitality, travel,
4 tourism and training school to furnish the Institute with such information on
5 any aspect of the school's operation as may appear necessary to enable the
6 Institute perform its functions under this Act;

7 (g) establish and maintain subsidiaries either by itself or in
8 collaboration with other organisations, government or persons to enhance
9 the attainment of the functions of the Institute;

10 (h) regulate travel, tourism and hospitality personnel and services
11 of the institution and establishments specified in the Second Schedule of
12 this Act; and

Second Schedule

13 (i) do such other things as are necessary for the efficient
14 performance of the Institute.

15 (2) The Institute may award diplomas and certificates in
16 accordance with the relevant academic standards as may be prescribed by
17 the Board.

18 (3) For the purposes of carrying out the objects listed under section
19 1 of this Bill, the Institute shall-

20 (a) institute lectureship or other posts, establish offices and make
21 appointments as may be considered appropriate;

22 (b) institute and award fellowships, scholarships, exhibitions,
23 bursaries, medals, prizes, distinctions, awards and other forms of
24 recognition or title;

25 (c) be responsible for the discipline and welfare of members of the
26 Institute under the Public Service Rules, 2008;

27 (d) conduct examinations; award diplomas, certificates and other
28 distinctions to persons pursuing courses of studies that have been approved
29 and have satisfied the requirements prescribed by the Institute;

1 (e) conduct research in relevant fields of learning and other human
2 endeavours;

3 (f) determine the standard of knowledge including content and skill to
4 be attained by persons seeking to become members of the profession and
5 review such standards, from time to time;

6 (g) determine course content for the courses in hospitality, travel and
7 tourism in the Institute;

8 (h) formulate, publish and review the code of conduct, ethics and
9 practice in the Institute;

10 (i) erect, provide, equip and maintain libraries, laboratories, lecture
11 halls, halls of residence, refectories, sports grounds, playing fields and other
12 buildings as are necessary for the carrying out of the objects of the Institute;

13 (j) train, certify and register all personnel engaged in hospitality,
14 travel and tourism training in the Institute; and

15 (k) set mandatory registration fees and collection of fees by the
16 Institute or its agents.

17 PART III - ESTABLISHMENT OF THE GOVERNING BOARD

18 OF THE INSTITUTE

Establishment
of the Governing
Board

19 6. There is established a Governing Board for the Institute (in this Bill
20 referred to as "the Board") which shall initiate, approve and provide the general
21 policy guidelines for the administration of the Institute.

Membership of
the Board

22 7. The Board shall consist of-

23 (a) a chairman who shall be at least a first degree holder or equivalent
24 in hospitality and a tourism practitioner with at least 15 years post experience;

25 (b) a representative each not below the rank of a Director or its
26 equivalent from the-

27 (i) Federal Ministry of Culture and Tourism,

28 (ii) Federal Ministry of Education,

29 (iii) National Board for Technical Education, and

30 (iv) National Directorate of Employment;

- 1 (c) a representative of the -
2 (i) Center for Management Development,
3 (ii) Tertiary Education Trust Fund,
4 (iii) Hotel and Personal Services Employers Association of
5 Nigeria,
6 (iv) Federation of Tourism Association of Nigeria, and
7 (d) the Director-General of the Institute; and
8 (e) the Director-General, Nigerian Tourism Development
9 Corporation (NTDC).

10 8.-(1) The Chairman and other members of the Board-

Appointment
and tenure of
members of the
Board

11 (a) shall be appointed by the President on the recommendation of
12 the Minister;

13 (b) shall hold office on part time basis for a term of three years; and

14 (c) may be eligible for re-appointment, on satisfactory
15 performance, for a further term of three years and no more.

16 (2) The office of the Chairman or a member of the Board shall
17 become vacant where-

18 (a) his term of office expires;

19 (b) he resigns his appointment as a member of the Board by a notice
20 in writing signed by him and addressed to the President; or

21 (c) he dies.

22 (3) The President may, on the recommendation of the Minister,
23 remove the Chairman or a member of the Board where-

24 (a) he has been absent from the meetings of the Board for four
25 consecutive times without permission;

26 (b) he is incapable of discharging his duties due to mental or
27 physical infirmity;

28 (c) he has been declared bankrupt or makes compromise with his
29 creditors;

30 (d) he is guilty of gross misconduct relating to his duties;

1 (e) the President is satisfied that it is not in the interest of the Board or
2 of the public for the person to continue in office; or

3 (f) in the case of an ex-officio member, he ceases to hold the office on
4 the basis of which he became a member of the Board.

5 (4) Where a vacancy occurs in the membership of the Board, the
6 President shall appoint a successor to hold office for the remainder of the term
7 of office of his predecessor, and the successor shall represent the same interest
8 as that member whose exit created the vacancy.

9 (5) The Board may invite any person to attend and participate at any of
10 its meetings provided that a person so invited will only be in attendance and
11 shall not count towards the quorum or vote at the meeting.

First Schedule

12 (6) The provisions of the First Schedule shall have effect with respect
13 to the proceedings of the Board and other matters mentioned in the Schedule.

Functions and
powers of the
Board

14 9. The Board shall-

15 (a) set administrative policies in accordance with government policy
16 directives and supervise the policy, finances and property of the Institute;

17 (b) promote and discipline staff of the Institute on the advice of the
18 Management of the Institute;

19 (c) consider and approve the Institute's annual budget or estimates,
20 external auditor's report and any variation therein;

21 (d) approve the rules and regulations of the Institute as may be
22 required under this Act;

23 (e) ensure that income and expenditure account of the Institute are
24 kept and audited annually by auditors appointed by the Board;

25 (f) approve the academic programmes and curricula of the Institute,
26 plan of activities, programme of studies, research to be undertaken by the
27 Institute and regulatory operations of the Institute;

28 (g) exercise all such powers conferred on the Board under this Act,
29 directive of the Minister or the regulations of the Institute; and

30 (h) carry out such other activities as are necessary or expedient for the

1 full performance of any of the functions of the Board under this Bill.

2 10.-(1) The Board may, subject to such conditions as it may deem
3 fit, delegate any of the powers conferred on it to any of its committees or the
4 Director-General of the Institute. Delegation of
powers of the
Board

5 (2) Nothing in this section prevents a committee of the Board or the
6 Director-General from exercising any of the powers so delegated within
7 reasonable limits except where reversed by the Board.

8 11. The Chairman and members of the Board shall be paid such Remuneration
9 emoluments, allowances and benefits as the President may direct in line
10 with the recommendations of the Revenue Mobilisation, Allocation and
11 Fiscal Commission.

12 PART IV - DIRECTOR-GENERAL AND OTHER STAFF OF THE INSTITUTE

13 12.-(1) There shall be a Director-General for the Institute who is Appointment,
tenure and duties
of Director-General
14 appointed by the President on the recommendation of the Minister.

15 (2) The Director-General shall-

16 (a) be a person of proven ability and integrity;

17 (b) possess at least a B.Sc Degree, HND or its equivalent; and

18 (c) possess at least 12 years post qualification experience in the
19 relevant industry.

20 (3) The Director-General shall hold office -

21 (a) for a term of four years in the first instance;

22 (b) may be re-appointed for a further term of four years and no
23 more; and

24 (c) on such other terms and conditions as may be specified in his
25 appointment.

26 (4) The Director-General is the Chief Executive and Accounting
27 Officer of the Institute and is responsible for the-

28 (a) day-to-day management and administration of the Institute;

29 (b) execution of the policies and programmes of the Institute;

- 1 (c) organisation, control and management of the affairs of the
2 Institute;
- 3 (d) implementation of the functions of the Institute and ensuring that
4 it achieves its goal;
- 5 (e) direction, supervision and control of employees of the Institute;
- 6 (f) promotion of research within the Institute;
- 7 (g) maintenance of accounting records in accordance with applicable
8 laws governing statutory bodies and generally accepted international and
9 accounting standards; and
- 10 (h) performance of such other functions and duties as may be directed
11 by the Board.
- 12 (5) The Director-General shall supervise the keeping and maintaining
13 of register of hospitality and tourism practitioners under this Act.
- 14 (6) The office of the Director-General becomes vacant where -
- 15 (a) his term of office expires;
- 16 (b) he resigns his appointment as Director-General by a notice in
17 writing signed by him and addressed to the President; or
- 18 (c) he dies.
- 19 (7) The President may, on the recommendation of the Minister,
20 remove the Director-General from office where-
- 21 (a) he has been absent from the meetings of the Board for four
22 consecutive times without permission;
- 23 (b) he is incapable of discharging his duties due to mental or physical
24 infirmity;
- 25 (c) he has been declared bankrupt or he makes compromise with his
26 creditors;
- 27 (d) he has been convicted of a felony or any offence involving fraud or
28 dishonesty;
- 29 (e) he is guilty of gross misconduct relating to his duties; or
- 30 (f) the President is satisfied that it is not in the interest of the Board or

1 public for the person to continue in office.

2 13.-(1) There shall be for the Institute a Legal Adviser who is
3 appointed by the Board.

Legal Adviser
to the Institute

4 (2) The Legal Adviser shall-

5 (a) be a Legal Practitioner and a staff of the Institute and has been
6 so qualified for a period of at least 10 years;

7 (b) be the Secretary to the Board and the Legal Adviser to the
8 Institute;

9 (c) conduct the correspondence of the Board and arrange the
10 meetings of the Board; and

11 (d) perform any other function as the Board or Director-General,
12 may assign to him.

13 14.-(1) The Institute shall, with the approval of the Board, appoint,
14 designate or cause to be deployed, directly or on secondment from any
15 public or private body, such number and category of staff as it may require to
16 assist it in the effective discharge of its duties and functions under this Act.

Other staff of
the Institute

17 (2) The Board shall be responsible for determining the job
18 description, title, terms and qualifications of staff.

19 (3) Salaries, including allowances of the employees of the Institute
20 shall be determined by the National Income, Salaries and Wages
21 Commission.

22 (4) The Board shall make rules relating generally to the conditions
23 of service of staff of the Institute, including rules providing for the
24 appointment, promotion, advancement, determination of appointment, and
25 disciplinary control of those employees.

26 15.-(1) The Institute may set up departments, special units,
27 technical committees, four working groups and task forces to assist it in the
28 performance of its functions under this Act and may make changes to its
29 structure, with the approval of the Board.

Department,
special units
and committees

30 (2) There shall be appointed for each of the departments and

1 special units, a principal officer who shall be known by such designation as the
2 Institute may determine.

Service in the
Institute is
pensionable
Act No. 4, 2014

3 **16.**-(1) Service in the Institute shall be public service for the purpose
4 of the Pension Reform Act and, officers and other staff of the Institute are, in
5 respect of their service in the Institute, entitled to pension, severance and other
6 retirement benefits in conformity with provisions of the Pension Reform Act.

7 (2) Notwithstanding the provisions of subsection (1), nothing in this
8 Act prevents the appointment of a person to any office on terms which preclude
9 the grant of pension and retirement benefits in respect of that office.

Act No. 4, 2014

10 (3) For the purpose of the application of the provisions of the Pension
11 Reform Act, any power exercisable by a Minister or other authority of the
12 Government of the Federation is vested in, and is exercisable by, the Board.

Campuses of
the Institute

13 **17.** The Institute may establish campuses in any part of Nigeria,
14 subject to the approval of the Board, for the performance of its functions under
15 this Bill.

Co-operation
with other bodies

16 **18.** The Institute may cooperate with relevant organisations and
17 authorities involved in hospitality and tourism related issues in the
18 performance of its functions under this Bill.

Appointment
of experts

19 **19.** In exercising, performing and discharging the powers, functions
20 and duties conferred on it under this Bill, the Institute may appoint, contract,
21 liaise or co-operate with experts, including specialised agencies, resource
22 persons, academic and technical institutes or advisory committees, in order to
23 assist it in performing or discharging its functions or duties under this Bill.

24 PART V - FINANCIAL PROVISIONS

Funds of the
Institute

25 **20.**-(1) There is established for the Institute a fund ("the Fund") which
26 shall consist of-

27 (a) budgetary allocations, grants and annual subventions received
28 from the Government of the Federation;

29 (b) all money held immediately before the commencement of this Bill
30 by the National Institute for Hospitality and Tourism;

1 (c) all money raised for the Institute by way of gifts, loans,
2 endowment, grants-in-aids, testamentary disposition, bequest or other
3 voluntary contributions from philanthropic organisations or persons, if the
4 terms and conditions attached are not inconsistent with the functions of the
5 Institute;

6 (d) charges, fees and other sums collected or received for services
7 rendered by the Institute; and

8 (e) all other funds which may accrue to the Institute.

9 (2) Subject to the provisions of the Constitution of the Federal
10 Republic of Nigeria, 1999, the Fund of the Institute shall be managed in
11 accordance with Financial Regulations applicable in the Public Service of
12 the Federation.

13 (3) The Institute may apply the Fund-

14 (a) to pay the costs of administration, charges and expenses of the
15 Institute;

16 (b) to discharge the cost of maintaining the Head Office and other
17 campuses of the Institute and for the development and maintenance of any
18 property vested in or owned by the Institute;

19 (c) for the payment of allowances and other benefits of members of
20 the Board or any committee set up by it;

21 (d) for the payment of emoluments, allowances, benefits and other
22 entitlements of the Director-General and other staff of the Institute;

23 (e) for the payment for all purchases made by the Institute and the
24 training of members of its staff, including the provision of scholarships,
25 bursaries and awards for specialised training of members of staff of the
26 Institute;

27 (f) for the payments required to publicise and promote the
28 activities of the Institute;

1 (g) for the payment to various stakeholders involved in the activities
2 of the Institute;

3 (h) for counterpart payments, annual and other subscriptions and
4 contributions for the support of national and international professional
5 organisations, including international exchange programmes;

6 (i) for maintaining general financial reserves subject to general or
7 specific directives that may be given by the Minister;

8 (j) for the payment of all consultancies, legal fees, judgment debts and
9 costs of contracts awarded by the Board; and

10 (k) for any other expenditure, as may be approved by the Board in
11 connection with all or any of its functions and powers under this Bill.

Investment of
the Fund of the
Institute

12 **21.-(1)** The Institute may invest any or all money in its Fund, not
13 immediately required for its current expenditure, in -

14 (a) any security created or issued by or on behalf of the Federal
15 Government, as may be approved by the Board.

16 (b) the purchase or improvement of any land in any part of the
17 Federation; or

18 (c) any venture in Nigeria as may be approved by Minister, including
19 investment in stocks quoted at the Nigerian Stock Exchange.

20 (2) In the exercise of its powers of investment of its fund under
21 subsection (1), the Institute may vary such investments in line with extant
22 Government Regulations.

Establishment
of Housing
Scheme

23 **22.** The Institute may, with the approval of the Minister, engage in the
24 establishment of Staff Housing Scheme.

Annual estimate
of income and
and expenditure

25 **23.-(1)** The Institute shall submit to the Minister an estimate of its
26 expenditure and income for the next succeeding financial year.

27 (2) Notwithstanding the provisions of subsection (1), the Institute
28 may, where necessary due to unforeseen circumstances, submit supplementary
29 or adjusted statements of estimated income and expenditure to the Minister for
30 onward transmission to the National Assembly for approval.

1 24.-(1) The Institute shall-

Accounts, records
and audit

2 (a) keep proper and regular accounts and other records of money
3 received and paid by the Institute and for other purposes for which money
4 has been received or paid, and of its assets, credits and liabilities in respect of
5 each year; and

6 (b) cause its accounts to be audited on or before 31st March of the
7 following year to which the accounts relate, by a firm of auditors appointed
8 from the approved list of auditors, and in accordance with guidelines
9 supplied by the Auditor-General for the Federation.

10 (2) The Institute shall do all things necessary to ensure that all
11 payments of its funds and bank account are correctly made and properly
12 authorised and that adequate control is maintained over its assets.

13 (3) As soon as the accounts and the financial statements of the
14 Institute have been audited in accordance with the requirement of this Bill,
15 the Institute shall forward a copy of the audited financial statements to the
16 Minister together with any report or observations made by the auditors and
17 the Auditor-General for the Federation on the statement of accounts.

18 (4) The remuneration of the auditor shall be paid out of the Fund of
19 the Institute.

20 25. The Institute shall-

Annual reports

21 (a) not later than 31st July of each year, prepare and submit to the
22 Minister and the Auditor-General of the Federation, a report in such form as
23 the Minister may direct on the activities and administration of the Institute
24 during the immediately preceding year; and

25 (b) include in the report a copy of the audited accounts of the
26 Institute for the year and Auditor-General's report.

27 26. The Institute may, with the approval of the Minister, borrow
28 such sums by way of loan, overdraft or from any other source, as may be
29 required for the performance of its functions and meeting its obligations
30 under this Act, and any interest payable on money so borrowed shall be paid

Borrowing power

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

5 (6) Any entry directed to be made in the register under subsection
6 (3) shall show that registration is provisional, and no entry so made shall be
7 converted to full registration without the written consent of the Board.

8 (7) The Institute shall, subject to the approval of the Board, publish,
9 in the Federal Government Gazette, particulars of qualifications for the time
10 being acceptable for registration as hospitality, travel and tourism
11 personnel.

12 29.-(1) A person admitted to membership of the profession in
13 Nigeria under the provisions of this Act may be registered as -

Registration of
provisional
member

14 (a) a provisional member; or

15 (b) a member.

16 (2) A person is entitled to be enrolled as a provisional member
17 where he-

18 (a) has submitted a written application in the form prescribed by
19 the Institute and has paid the prescribed registration fee;

20 (b) has completed a minimum of equivalent of National Vocational
21 Qualification (NVQ) level one;

22 (c) has sworn to the hospitality and tourism oath;

23 (d) is of good character;

24 (e) has not been convicted in Nigeria or elsewhere of any criminal
25 offence involving fraud or dishonesty; and

26 (f) meets any other requirement for registration as a provisional
27 member of the profession as may be prescribed by the Institute.

28 (3) A person is entitled to be registered as a member of the
29 profession where, in addition to holding the qualifications and satisfying all
30 the conditions set out in subsection (2), he-

1 (a) has submitted a written application in the form prescribed by the
2 Institute and paid the prescribed fee for his registration;

3 (b) has a minimum of equivalent of National Vocational Qualification
4 (NVQ) level three;

5 (c) has completed the statutory continuous internship training for one
6 year in an institution approved by the Institute and has obtained from the
7 approved institution a certificate of experience in that regard; and

8 (d) meets any other requirement for registration as a member of the
9 profession as may be prescribed by the Institute.

Registration of
Nigerian citizen
who is qualified
outside Nigeria

10 **30.** A Nigerian citizen who qualifies as hospitality, travel and tourism
11 practitioner in an approved institution outside Nigeria shall be registered under
12 this Bill, where he-

13 (a) holds a qualification in a recognised field in hospitality, travel and
14 tourism awarded by an approved or recognised institution outside Nigeria
15 which qualification, for the time being, is acceptable to the Board for the
16 purposes of this Bill;

17 (b) holds a certificate of registration as a practitioner acceptable to the
18 Board;

19 (c) has completed, in Nigeria, the statutory internship course of
20 training and obtained certificate specified in section 29 (2) (b) (where
21 applicable);

22 (d) is of good character;

23 (e) has not been convicted in Nigeria or elsewhere of any criminal
24 offence involving fraud or dishonesty;

25 (f) submits a duly completed application in writing in the prescribed
26 form and paid the prescribed fee for his registration; and

27 (g) meets any other requirement for registration as a member of the
28 profession as may be prescribed by the Board.

Registration of
non-Nigerian
practitioners

29 **31.-(1)** A person who is not a citizen of Nigeria may be registered as a
30 practitioner under this Act where the country of which he is a citizen grants

1 reciprocal registration facility to Nigerian citizens and where he -

2 (a) holds a requisite qualification recognised by the Institute;

3 (b) has passed the Institute's examination and such other
4 examinations as the Institute may prescribe;

5 (c) has acquired the requisite experience in accordance with
6 section 29 (3) (b);

7 (d) has been resident in Nigeria for at least 12 calendar months
8 immediately preceding the date of his application for registration; and

9 (e) meets all other requirement for registration as may be
10 prescribed by the Institute.

11 (2) An applicant applying for registration under this section shall,
12 in addition to evidence of qualification, satisfy the Institute that he-

13 (a) is of good character;

14 (b) has not been convicted in Nigeria or elsewhere of any criminal
15 offence involving fraud or dishonesty;

16 (c) submits a duly completed application in writing in the
17 prescribed form; and

18 (d) has paid the prescribed fee for registration.

19 **32.**-(1) Subject to the provisions of this Bill, the Institute shall
20 make rules with respect to the form, contents, parts and procedures for
21 keeping and making of entries in the register of hospitality and tourism
22 practitioners under this Part.

23 (2) The rules made under subsection (1) shall, in particular, make
24 provision for-

25 (a) regulating the making and processing of applications for
26 enrolment of provisional members or registration of full members;

27 (b) providing for the notification to the Director-General of any
28 change in those particulars by the person to whom the registered particulars
29 relate;

30 (c) providing for the procedure for the acceptance and registration

Rules for keeping
and maintaining
register

1 of additional qualification to the earlier qualification held which is in relation
2 to the profession;

3 (d) specifying the fees, including any annual subscription to be paid to
4 the Institute in respect of-

5 (i) entry of names in the register of hospitality, travel and tourism
6 practitioners, and

7 (ii) payment of annual practising fee;

8 (e) authorising the Director-General to refuse to enter a name in the
9 register until the fees specified for the entry have been paid in compliance with
10 the requirements of this Bill or rules made on that behalf which are for the time
11 being in force; and

12 (f) specifying any other thing not mentioned under this section which
13 the Institute considers necessary or expedient.

Publication of
register

14 **33.-(1)** The Institute shall, under the supervision of the Director-
15 General, cause the register of hospitality, travel and tourism practitioners to be
16 published and put on sale, not later than two years from the commencement of
17 this Bill.

18 (2) In each year after the register is first published under subsection
19 (1), the Institute shall update and cause the updated version of the register to be
20 published showing alterations made in the register since it was last printed and
21 a current update version of the Register shall be reviewed every month and then
22 made available on-line and on the Institute website.

23 (3) The Institute shall-

24 (a) cause a reprint of each edition of the register and of each list of
25 corrections to be deposited at the principal offices of the Institute and the
26 Institute; and

27 (b) keep the register and lists of corrections so deposited available at
28 all reasonable times for inspection by members of the public.

29 (4) A document purporting to be a print of an edition of the register
30 published under this section by the authority of the Institute, or documents

1 purporting to be prints of an edition of the register and of a list of corrections
2 to that edition so published is, without prejudice to any other mode of proof,
3 admissible in any proceeding as evidence that person specified in the
4 document or the documents read together, as being registered was so
5 registered at the date of the edition or of the list of corrections, as the case
6 may be, and that a person not so specified was not so registered.

7 (5) Where in accordance with subsection (4), a person is, in any
8 proceedings shown to have been or not to have been registered at a particular
9 date, he shall, unless the contrary is proved, be taken for the purposes of
10 those proceeding as having at all material times continued to be or not be so
11 registered.

12 34. The Institute shall, under the supervision of the Director-
13 General-

Correction of
entries in the
Register

14 (a) correct any entry in the register in accordance with the Board's
15 directions or order of the court;

16 (b) make or update any necessary alteration in the register as may
17 be necessary or expedient; and

18 (c) remove from the register any registered person who is dead or
19 who has ceased to be so registered.

20 35.-(1) Where, the Institute-

21 (a) sends by registered post, e-mail or other recognised means of
22 communication to any person, a letter addressed to him at the address on the
23 register of personnel enquiring whether the registered particulars relating to
24 him are correct and the Institute receives no reply to the letter within a period
25 of six months from the date of posting or sending it,

Removal of
names from the
register

26 (b) considers it necessary upon the expiration of that period of six
27 months, sends, in the like manner to the person in question, a second similar
28 letter and receives no reply within three months from the date of posting or
29 sending it,

30 (c) is satisfied that a member has been convicted for any criminal

1 offence involving fraud or dishonesty, or
2 (d) dismissed a member for professional misconduct,
3 the Institute may, remove the name and particulars of that person from register.

4 (2) The Board may direct the Institute to restore to the register any
5 name or particulars removed from the register under subsection (1).

6 **36.** Where a-

7 (a) person provides proof to clarify section 35 (a) and (b) and the
8 Institute is satisfied with such proof;

9 (b) criminal convict is granted a ministerial pardon on the
10 recommendation of the Board;

11 (c) person was found guilty of misconduct that led to his dismissal on
12 the recommendation of the Board; and

13 (d) person is convicted for a second criminal conviction,
14 his name shall-

15 (i) in the case of paragraphs (a) and (b), be re-entered,

16 (ii) in the case of paragraphs (c) and (d), not be re-entered,
17 into the register.

18 **37.**-(1) No person shall practise in any year unless he has paid to the
19 Institute the appropriate practising fees prescribed by the Board which shall be
20 due in January of each year.

21 (2) A Person with at least 35 years post registration experience or who
22 has attained the age of 70 years is exempted from the payment of practising
23 fees.

24 (3) A registered personnel who fails to pay the prescribed practising
25 fee by 31st day of March of every year shall, in addition to the fee, pay a fine of
26 a sum which is equivalent to 10 per cent of the applicable fee within the year.

27 (4) A registered personnel who has paid his practising fee in any year
28 as prescribed in subsection (1) or who is exempted from payment of practising
29 fee under subsection (2), is entitled to a practising licence for that year
30 authorising him, subject to any enactment or regulation in force applicable to

Re-entry of
names into the
register after
removal

Payment of
membership
and practicing
fees

1 him, to carry on any legitimate business relating to hospitality, travel and
2 tourism.

3 (5) The Institute may vary the practising fees prescribed in
4 subsection (1) provided that the variation of the practising fee does not come
5 into force unless it is approved by the Board.

6 (6) A member who, in respect of any year, practices the profession
7 without paying his annual practicing fee commits a misconduct and is liable-

8 (a) in the case of a first offender, to a fine of twice the prescribed
9 practicing fee;

10 (b) in the case of a second or subsequent offender, to a fine of not
11 less than 10 times the prescribed practicing fees; and

12 (c) where he is in the employment of any person, the employer
13 commits an offence and is liable in like manner as the member where it is
14 proved that failure to pay the prescribed fees was with the knowledge,
15 consent or connivance of the employer.

16 38. -(1) The Institute shall make rules-

17 (a) prescribing the amount and due date for payment of the
18 practicing fees;

19 (b) prescribing the different amounts to be paid either as a fellow,
20 provisional member or a registered hospitality, travel and tourism
21 practitioner;

22 (c) prescribing the form of licence to practise to be issued annually
23 or, if the Board considers fit, by endorsement on an existing licence; or

24 (d) restricting the right to practise as a member in default of
25 payment of the amount of the annual subscription where the default
26 continues for longer than such period as may be prescribed by the rules; and

27 (e) prescribing the period of practical training in the office of a
28 hospitality, travel and tourism personnel in practice to be completed before a
29 person qualifies for enrolment or a license to practice as a hospitality, travel
30 and tourism personnel.

Rules as to
membership and
practicing fees
for personnel

1 (2) Rules made under this section shall be published in the Federal
2 Government Gazette.

3 PART VII - PROFESSIONAL DISCIPLINE

Establishment
of Investigating
Panel

4 39.-(1) There is established the Hospitality, Travel and Tourism
5 Investigating Panel (in this Act referred to as "the Panel") charged with -

6 (a) the duty of conducting a preliminary investigation into any case
7 where it is alleged that a member has misbehaved in his capacity as a
8 professional hospitality, travel and tourism practitioner or should, for any other
9 reason, be subject of proceedings before the Tribunal; and

10 (b) deciding whether the case should be referred to the Tribunal or not.

11 (2) The Panel shall be appointed by the Institute and shall consist of
12 one member of the Board, two director carder staff of the Institute appointed by
13 the Director-General and two members of the profession who are not members
14 of the Board with a legal practitioner from the Institute as Secretary to the
15 Panel.

Third Schedule.

16 (3) The provisions of the Third Schedule shall, as far as applicable to
17 the Tribunal and Panel respectively, have effect with respect to those bodies.

18 (4) The outcome of investigation on any serious case of infraction
19 handled by the Panel shall be reported to the Minister.

Establishment
of Disciplinary
Tribuna

20 40.-(1) There is established a Hospitality, Travel and Tourism
21 Practitioners Disciplinary Tribunal (in this Bill referred to as "the Tribunal"),
22 charged with the responsibility of considering and determining any case
23 referred to it by the Panel and any other case of which the Tribunal has
24 cognisance under the provisions of this Bill.

25 (2) The Tribunal shall consist of the Chairman, the Director-General
26 of the Institute, one Board member and two members from the hospitality,
27 travel and tourism practitioners as may be appointed by the Board.

Meaning of
professional
misconduct or
infamous conduct

28 41. For the purposes of this section, professional misconduct or
29 infamous conduct in a professional respect includes -

30 (a) divulging or revealing to unauthorised persons, a client or another

1 practitioner's information or the nature of professional services rendered,
2 without the client's express consent, or without order or direction of a court;

3 (b) engaging in conduct likely to deceive, defraud or harm the
4 client or the public or demonstrating a wilful or careless disregard for the
5 health, welfare or safety of a client or the public or engaging in conduct
6 which substantially departs from the standards of care ordinarily exercised
7 by a hospitality and tourism practitioner; or

8 (c) obtaining any money by fraud, misrepresentation or deception.

9 42.-(1) Where the Tribunal is satisfied that the name of any person
10 has been fraudulently registered, the Tribunal may, if it considers fit, give a
11 direction-

Penalties for
unprofessional
conduct

12 (a) reprimanding that person;

13 (b) ordering the Institute to strike out his name off the register; or

14 (c) pay a fine of not less than N200,000.00 as may be specified in
15 the direction.

16 (2) The Tribunal may, if it considers fit, defer its decision as to the
17 giving of a direction under subsection (1) until a subsequent meeting of the
18 Tribunal, provided that-

19 (a) no decision shall be deferred under this subsection for periods
20 exceeding six months in the aggregate; and

21 (b) a person shall not be a member of the Tribunal for the purposes
22 of reaching a decision which has been deferred unless he was present as a
23 member of the Tribunal when the decision to defer the Tribunal's decision
24 was taken.

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

28 (4) A person to whom a direction under subsection (1) relates may,
29 at any time within 30 days from the date of service on him of the notice of
30 direction, appeal against the direction to the Tribunal.

1 (5) The Tribunal shall set-up a new sitting to determine the appeal and
2 give a direction and the direction is final and cannot be appealed.

3 (6) A direction of the Tribunal under subsection (1) shall take effect,
4 where-

5 (a) no appeal under subsection (5) is brought against the direction
6 within the time limited for such an appeal, on the expiration of that time;

7 (b) an appeal under subsection (4) is brought against the direction, but
8 it is withdrawn or upheld at the appeal sitting.

9 (7) A person whose name is struck out of a register kept under this Bill
10 under a direction of the Tribunal or whose name as a registered person is
11 removed or suspended from the register is not entitled to re-registered in that
12 register, except under a direction given by the Tribunal.

When a person
is treated as
convicted

13 43. For the purposes of section 45, a person is not treated as convicted
14 unless-

15 (a) as at the time the conviction is subsisting, no appeal is pending in
16 an appellate court; or

17 (b) when an appeal or further appeal is brought in connection with the
18 conviction, the appellate court upheld the conviction, provided that such notice
19 of appeal is brought within 60 days after the date of conviction.

The jurisdiction
of the Tribunal

20 44. Criminal proceedings shall not oust the jurisdiction of the
21 Tribunal from determining any case of misconduct or infamous conduct that
22 violates training, certification and registration of the Institute.

23 PART VIII - OFFENCES AND PENALTIES

General offences,
penalties and
legal proceedings

24 45.-(1) Any person who knowingly makes a false statement for the
25 purpose of procuring enrolment, registration or admission into the Institute,
26 commits an offence.

27 (2) A person who is not a registered hospitality, travel and tourism
28 practitioner under this Act but practises as such or holds himself out as being so
29 registered and entitled to practise in that capacity whether for reward or not, or
30 takes or uses any name, title, addition or description implying that he is so

1 registered and authorised by law to so practise, commits an offence under
2 this Bill.

3 (3) A person who commits an offence under this section is liable on
4 conviction, in the case of -

5 (a) subsection (1), to a fine of not less than ₦200,000.00 or to a term
6 of imprisonment not exceeding one year or both; or

7 (b) subsection (2), to a fine of not less than ₦500,000.00 or to a term
8 of imprisonment not exceeding two years or both.

9 (4) Where any contribution or payment as required under the
10 provision of this Act is not paid within the time specified for that purpose, a
11 sum equal to 5% of the amount unpaid shall be added for each month or part
12 of the month after the date which payment should have been made and for
13 the purpose of this subsection "contribution or payment", includes any
14 interest or penalty payable or imposed for non-payment or for late payment,
15 as the case may be.

16 (5) Notwithstanding any other provision of this Bill, a contribution
17 or payment is recoverable by action as a debt owed to the Institute at any
18 time from the date when the contribution or payment became due.

19 (6) Any person who contravenes any provision of this Bill for
20 which no specific penalty was provided, commits an offence and is liable on
21 conviction to a fine not exceeding ₦200,000.00 or imprisonment for a term
22 not exceeding one year or both.

23 (7) Subject to section 174 of the Constitution of the Federal
24 Republic of Nigeria, 1999 any employee of the Institute authorised in that
25 behalf by the Board, and who is a legal practitioner, may, before any court of
26 competent jurisdiction, conduct or defend any complaint or other
27 proceeding arising under this Act.

28 PART IX - MISCELLANEOUS

29 46.-(1) The Federal High Court shall have the jurisdiction to hear
30 and determine criminal and civil matters including appeals under this Bill.

Jurisdiction

1 (2) Appeals from the Tribunal shall be heard and determined by the
2 Federal High Court.

Regulations,
rules and
guidelines

3 47.-(1) The Institute may, with the approval of the Minister, make
4 regulations, rules and guidelines as may be required to give effect to the
5 provisions of this Bill.

6 (2) Any regulation, rule or guideline made under this Act shall be
7 published in the Federal Government Gazette.

8 (3) The contravention of any regulation, rule or guideline issued
9 pursuant to any of the provisions of this Act constitutes an offence and is
10 punishable as prescribed in the particular regulations, rules or guidelines.

Power of Minister
to give directives

11 48. The Minister may give directive to the Institute or through the
12 Board, of a general character with respect to the performance of the functions
13 of the Institute under this Bill and the Institute shall comply with the
14 directives.

Compulsory
acquisition of
land
Cap. L5, LFN,
2004

15 49. For the purposes of the Land Use Act which provides for the
16 compulsory acquisition of land for overriding public interest, any requirement
17 of land by the Institute shall be deemed to be for the public purposes of the
18 Federation.

Pre-action notice
Cap, P41, LFN,
2004

19 50.-(1) Subject to the provisions of this Act, the provisions of the
20 Public Officers Protection Act is apply to any suit instituted against the
21 Institute, a member of the Board, Director-General, academic staff, officer or
22 employee of the Institute.

23 (2) A suit shall not commence against the Institute before the
24 expiration of a period of one month after a written notice of intention to
25 commence the suit had been served on the Institute by the intending plaintiff or
26 his agent and the notice shall clearly state the-

27 (a) cause of action;

28 (b) particulars of the claim;

29 (c) name and place of abode of the intending plaintiff; and

30 (d) relief which the plaintiff claims.

1 (3) The notice referred to in subsection (1) and any summons,
2 notice or other document required or authorised to be served on the Institute
3 under this Act or any other law may be served by-

4 (a) delivering it to the Director-General of the Institute; or

5 (b) sending it by registered post addressed to the Director-General
6 of the Institute at the Head Office of the Institute.

7 51. A member of the Board, Director-General, academic staff,
8 officer or employee of the Institute shall be indemnified out of the assets of
9 the Institute against any proceeding brought against him in his capacity as a
10 member of the Board, Director-General, academic staff, officer or employee
11 of the Institute, where the act complained of is not ultra vires his powers.

Indemnity of
officers of the
Institute

12 52. The Board shall meet at least four times in each year.

Meeting of the
Board
Transitional
provisions

13 53.-(1) Any lawful act done or purported to have been done by the
14 National Institute for Hospitality and Tourism existing immediately before
15 the commencement of this Bill (in this Bill referred to as the "Executing
16 Agency") is validated under this Bill.

17 (2) Any act lawfully done or purported to have been done by any
18 person however designated or appointed before the commencement of this
19 Act for and on behalf of the Institute, including the acquisition of landed
20 properties or erection of buildings, rentals, supervision or control of the
21 Institute, is validated.

22 (3) Any agreement to which the Executing Agency under this Bill
23 was a party, whether or not made in writing and whether or not of such a
24 nature that the rights, liabilities and obligations under the agreement may be
25 assigned by the Executing Agency shall, unless its terms or subject matter
26 make it impossible that it should have effect so far as it relates to property as
27 if the Institute was a party to the agreement and-

28 (a) reference (however worded and whether express or implied) to
29 the Executing Agency, in respect of anything not done shall be a reference to
30 the Institute; and

1 (b) any document which refers, whether specifically or generally, to
2 the Executing Agency shall be construed as referring to the Institute.

3 (4) Without prejudice to the generality of the provisions of this
4 section, any right, liability or obligation which the Executing Agency had
5 before the commencement of this Bill shall vest in the Institute.

6 (5) Any application, liability or obligation, legal proceeding or
7 enforcement of rights pending against the Executing Agency may be continued
8 against the Institute.

9 (6) Notwithstanding the provisions of subsections (1) - (5) -

10 (a) existing regulations or rules made or guidelines issued by the
11 Executing Agency before the commencement of this Act are deemed to have
12 been made or issued under the relevant sections of this Act;

13 (b) any register kept by the Executing Agency is deemed to be part of
14 the register kept under this Bill;

15 (c) any direction, order and appointment lawfully given, made or
16 other acts done by the Executing Agency and in force immediately before the
17 commencement of this Act Bill, shall be deemed to have been given, made or
18 done under this Bill and shall have effect accordingly; and

19 (d) all property held by or on behalf of the Executing Agency
20 immediately before the commencement of this Bill shall, on the
21 commencement of this Bill, deemed to have been vested in the Institute.

22 (7) Subject to the provisions of this Bill, the Director-General of the
23 Executing Agency is deemed to have been transferred to the Institute under the
24 same conditions as Director-General.

25 (8) Any person who, immediately before the commencement of this
26 Bill, held appointment as an employee of the Institute is, on the
27 commencement of this Bill, deemed to have been appointed under this Bill for
28 purposes of pension.

29 (9) As from the commencement of this Act, any disciplinary
30 proceeding pending or existing against any employee of the Executing Agency

1 shall be continued and completed by the Institute.

2 **54. In this Bill:**

3 "Academic staff" means a member of staff of the Institute whose sole and
4 primary responsibility is teaching, research and assessment of students;

5 "Chairman" means the Chairman of the Board;

6 "Board" means the Governing Board of the Institute established under
7 Section 7 (1) of this Act;

8 "Director-General" means the Director-General of the Institute appointed
9 under section:

10 "enrolled", in relation to a member, means a registered under this Bill;

11 "Executing Agency" means the National Institute for Hospitality and
12 Tourism established that existed immediately before the commencement of
13 this Bill;

14 "fees" includes annual subscription;

15 "functions" includes powers and duties;

16 "hospitality" includes a broad category of fields within the service industry
17 that includes lodging, event planning, theme parks, transportation, cruise
18 line, and additional fields within the tourism industry;

19 "hospitality, travel and tourism" includes the activities enumerated under
20 the Second Schedule to this Bill;

21 "Institute" means the National Institute for Hospitality and Tourism
22 established under this Bill;

23 "Establishment or Enterprise" means the activities enumerated under the
24 Second Schedule;

25 "Minister" means the Minister charged with the responsibility for matters
26 relating to culture and tourism;

27 "Officer" means a staff of senior rank of the Institute;

28 "register" means the register of hospitality, travel and tourism practitioners
29 maintained under this Bill;

30 "tourism" includes the business or industry of providing information,

Interpretation

1 accommodations, transportation, and other related services to tourists; and
2 "Tribunal" means the Hospitality, Travel and Tourism Practitioners
3 Disciplinary Tribunal established under this Bill.

Citation

4 55. This Bill may be cited as the National Institute for Hospitality and
5 Tourism (Establishment) Bill, 2019.

6 SCHEDULES

7 FIRST SCHEDULE

8 *Section 8 (6)*

9 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

10 *Proceedings of the Board*

11 1.-(1) Subject to the provisions of this Bill and Section 27 of the
12 Interpretation Act, the Board may make standing orders regulating its
13 proceedings or those of any of its committees.

14 (2) The quorum of the Board shall be the Chairman or the person
15 presiding at the meeting, the Director-General and one third of other members
16 of the Board. The quorum of any Committee of the Authority shall be as
17 determined by the Board.

18 *Meetings of the Board*

19 2.-(1) The Board shall meet whenever it is summoned by the
20 Chairman and if the Chairman is required to do so by notice given to him by not
21 less than 4 other members, he shall summon a meeting of the Board to be held
22 within 14 days from the date on which the notice is given.

23 (2) At any meeting of the Board the Chairman shall preside but if he is
24 absent, the members present at the meeting shall appoint one of their members
25 to preside at the meeting.

26 (3) The Board shall meet a minimum of four times a year: one meeting
27 each quarter.

28 *Committees*

29 3.-(1) The Board may appoint one or more committees to carry out, on
30 behalf of the Board such functions as the Board may determine.

1 (2) A committee appointed under this paragraph shall consist of
2 such number of persons as may be determined by the Board and a person
3 shall hold office on the committee in accordance with the terms of his
4 appointment.

5 (3) A decision of a committee of the Board shall be of no effect until
6 it is confirmed by the Board.

7 *Seal of the Institute*

8 4.-(1) The fixing of the seal of the Institute shall be authenticated
9 by the signatures of the Chairman or any other member of the Board
10 generally, or specifically authorised by the Board to act for that purpose and
11 the Director-General.

12 (2) A contract or an instrument, which is made or executed by any
13 person not being a body corporate would not be required to be under seal,
14 may be made or executed on behalf of the Institute by the Director-General
15 or by any person generally or specifically authorised to act for that purpose
16 by the Director-General.

17 (3) A document purporting to be a contract, an instrument or other
18 document signed or sealed on behalf of the Institute, shall be received in
19 evidence and, unless the contrary is proved, be presented, without further
20 proof, to have been properly signed or sealed.

21 *Miscellaneous*

22 5. The validity of any proceedings of the Board or of a committee
23 shall not be adversely affected by -

24 (a) a vacancy in the membership of the Board or committee;

25 (b) a defect in the appointment of a member of the Board or
26 committee; or

27 (c) reason that a person not entitled to do so took part in the
28 proceedings of the Board or Committee.

29 6. Any Member of the Board or committee who has a personal
30 interest in any arrangement entered into or proposed to be considered by the

1 Board or any committee shall-

- 2 (a) disclose his interest to the Board or committee; and
3 not vote on any question relating to the arrangement.

4 SECOND SCHEDULE

5 *Sections 5 (1) (h)*

6 PROVISIONS RELATING TO TRAINING, CERTIFICATION AND REGISTRATION
7 OF PERSONNEL IN HOSPITALITY, TRAVEL AND TOURISM

8 Class "H"

- 9 1. Enterprises.
10 2. Tourism and Hospitality Institutions.

11 THIRD SCHEDULE

12 *Section 39 (3)*

13 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL
14 AND INVESTIGATING PANEL

15 *The Tribunal*

- 16 1. The quorum of the Tribunal is three of whom at least one is a
17 certified travel tourism and hospitality practitioner.
18 2. The Board shall make rules for the purposes of any proceeding and
19 as to the procedure to be followed.
20 3. The rules made under paragraph 2 of this Schedule shall, in
21 particular, provide for-
- 22 (a) securing that notice of the proceedings shall be given, at such time
23 and in such manner as may be specified by the rules, to the person who is the
24 subject of the proceedings;
- 25 (b) determining who, in addition to the person mentioned in
26 paragraph (a), a party to the proceedings;
- 27 (c) securing that any party to the proceedings is, if he so requires,
28 entitled to be heard by the Tribunal;
- 29 (d) publishing, in the Federal Government Gazette, notice of any
30 direction of the Tribunal which has taken effect directing that a person's name

1 shall be struck off a register.

2 *The Panel*

3 4. The quorum of the Panel is three.

4 5. The Panel may, at any meeting of the Panel attended by all the
5 members of the Panel, make standing orders with respect to the Panel.

6 6. Subject to the provisions of any standing order, the Panel may regulate its
7 own procedure.

8 *Miscellaneous*

9 7. A person ceasing to be member of the Tribunal or Panel is
10 eligible for re-appointment as a member of that body.

11 8. A person may, if otherwise eligible, be a member of both the
12 Tribunal and the Panel, but no person who acted as a member of the Panel
13 with respect to any case shall act as a member of the Tribunal with respect to
14 that case.

15 9. The Tribunal or Panel may act notwithstanding any vacancy in
16 its membership and the proceedings of either body is not invalidated by any
17 irregularity in the appointment of a member of that body, or (subject to
18 paragraph 6 (b) by reason of the fact that any person who was not entitled to
19 do so took part in the proceedings of that body.

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

EXPLANATORY MEMORANDUM

This Bill establishes the National Institute for Hospitality and Tourism charged with the training, basic skills development, travel and tourism industry, hospitality and tourism personnel.

This Bill also provides an effective legal and institutional framework for the training, registration and certification of hospitality and tourism personnel in Nigeria to ensure improved and quality service delivery.

