

NIGERIAN COUNCIL FOR PSYCHOLOGISTS (ESTABLISHMENT) BILL, 2020

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A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN COUNCIL FOR PSYCHOLOGISTS CHARGED WITH THE RESPONSIBILITY FOR DETERMINING THE STANDARDS OF KNOWLEDGE AND SKILL TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS OF THE PSYCHOLOGY PROFESSION IN NIGERIA, AND FOR RELATED MATTERS

Sponsored by Hon. Ari Mohammed Abdulmumin

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR
2 PSYCHOLOGIST, POWERS AND FUNCTIONS, ETC.

3 1.-(1) There is established the Nigerian Council for Psychologists Establishment
4 (in this Act referred to as "the Council"). of the Council

5 (2) The Council:

6 (a) is a body corporate with perpetual succession and a common
7 seal;

8 (b) may sue and be sued in its corporate name; and

9 (c) may acquire, hold and dispose of any property, movable and
10 immovable.

11 2. The Council is responsible for: Functions of the
12 (a) determining the standards of knowledge and skill to be attained. Council

13 by persons seeking to become registered members of the psychology
14 profession (in this Act referred to as the "the profession") and reviewing
15 those standards as circumstances may require;

16 (b) securing, in accordance with the provisions of this Act, the
17 establishment and maintenance of registers of persons entitled to practise as
18 members of the profession, and the publication of lists of these persons;

1 (c) preparing and reviewing a statement as to the Code of Conduct
2 which the Council considers desirable for the practice of psychology
3 profession;

4 (d) regulating and controlling the practice of the profession in all its
5 aspects and ramifications; and

6 (e) performing such other functions as may be required of the Council
7 under this Act.

Membership
of the Council

8 **3.-(1)** Subject to the provisions of this Act, persons admitted to
9 membership of the Council shall be registered as members in the category of:

10 (a) Fellow;

11 (b) Associate Fellow;

12 (c) Chartered Member;

13 (d) Member; or

14 (e) Graduate Member.

15 (2) Subject to the fulfillment of all other conditions set out by the
16 Council, persons registered under the Act as members are entitled to be
17 enrolled as:

18 (a) Fellow, if for the period of at least five years immediately
19 preceding the date of admission as an Associate Fellow, he still practises as a
20 Psychologist;

21 (b) Associate Fellow, if for the period of at least five years
22 immediately preceding the date of admission as a Chartered Member, he is still
23 actively involved in practice as a Psychologist;

24 (c) Chartered Member, if for the period of at least five years
25 immediately preceding the date of admission as a Member, he is still actively
26 involved in the practice as a Psychologist;

27 (d) Member, if for the period of not less than two years immediately
28 preceding the date of admission as a Graduate Member, he is still actively
29 involved in practice; or

30 (e) Graduate Member, for those who have successfully completed the

1 programme for Master of Science in Psychology in any recognised
2 institution and are fit to be enrolled shall apply to the Council through their
3 Department and be admitted on the next induction ceremony.

4 PART II - ESTABLISHMENT AND COMPOSITION OF THE
5 GOVERNING BOARD

6 4.-(1) There is established for the Council a Governing Board (in
7 this Act referred to "the Board") consisting of:

Establishment
of the Governing
Board

8 (a) the Chairman and a Vice-Chairman who shall be qualified
9 Fellows of the Council of not less than 17 years post-registration or
10 qualification experience and shall be elected at the Annual General Meeting
11 (AGM) of the Council;

12 (b) the representative of the Federal Ministry of Health who shall
13 be a fully registered Psychologist;

14 (c) 12 members of the Nigerian Psychological Association,
15 representing the six geopolitical zones of Nigeria, with two persons
16 representing each zone respectively on rotational basis, and the two of them
17 shall not come from a particular State at the same time;

18 (d) three registered members representing the Nigerian
19 Universities offering any field of psychology as an option in their Master's
20 programme, on a rotational basis;

21 (e) two representatives of the private practitioners in psychology
22 who shall be registered with the Association;

23 (f) three representatives of the Association (President, Vice-
24 President and Secretary);

25 (g) three representatives of the Armed Forces Medical Services
26 who shall be registered Psychologists;

27 (h) a registered Psychologist, each to represent the:

28 (i) Nigerian Prisons Service;

29 (ii) Nigeria Police;

30 (iii) State Security Service;

	1	(iv) Nigerian Immigration Service; and
	2	(v) Nigerian Custom Service;
	3	(i) five representatives of the Hospitals which include Teaching
	4	Hospitals, Psychiatric Hospitals, and other Specialist Hospitals where
	5	Psychology Department, Unit or Section exists and take part in the training of
	6	Psychologists and such representation shall have a national spread; and
	7	(j) 10 members representing different Divisions of the Nigerian
	8	Psychological Association, who shall be registered as Psychologists, and not
	9	less than Chartered Member under section 3 (2) (c) of this Act.
Tenure of office of the Chairman and Vice Chairman	10	5.-(1) The Chairman and Vice Chairman shall each hold office for
	11	three years from the date of appointment and may be eligible for re-
	12	appointment for another three years and no more.
	13	(2) The Chairman shall preside over all meetings of the Council, but
	14	in the event of death, incapacity or inability, or for other reason, a new
	15	Chairman shall be appointed for the unexpired portion of the term of office of
	16	the erstwhile Chairman.
First Schedule	17	(3) The provisions of the First Schedule to this Act shall have effect
	18	with respect to the qualifications and tenure of office of members of the
	19	Council and other matters mentioned in the Schedule.
	20	PART III - FINANCIAL PROVISIONS
Funds of the Council	21	6.-(1) The Council shall establish and maintain a fund (in this Act
	22	referred to as "the Fund") for the purpose of this Act.
	23	(2) There shall be paid into the Fund:
	24	(a) all fees and other money payable to the Council under this Act; and
	25	(b) such money as may be payable to the Council, whether in the
	26	course of the performance of its functions or otherwise.
	27	(3) There shall be paid out of the Fund:
	28	(a) the remuneration and allowances of the Registrar and other
	29	employees of the Council;
	30	(b) such reasonable travelling and subsistence allowance of members

1 of the Council in respect of the time spent on the business of the Council as
2 the Council may approve.

3 (c) any other expenses incurred by the Council in the performance
4 of its functions under this Act.

5 (4) The Council may invest money in the Fund in any security
6 created or issued by or on behalf of the Federal Government or in any other
7 security in Nigeria approved by the Council.

8 (5) The Council may borrow money for the purposes the Council,
9 and any interest payable on money so borrowed shall be paid out of the
10 Fund.

11 7. The Council shall keep proper accounts and records in respect
12 of each year and shall cause its accounts to be audited, as soon as may be
13 after the end of the year to which the accounts relate, by a firm of auditors
14 appointed from the list and in accordance with guidelines supplied by the
15 Auditor-General for the Federation.

Accounts, records
and audit

16 PART IV - APPOINTMENT OF THE REGISTRAR, DUTIES AND FUNCTIONS
17 AND THE PREPARATION OF THE REGISTER

18 8.-(1) The Council shall appoint a fit and proper person to be the
19 Registrar for the purposes of this Act, and such other persons as the Council
20 may deem necessary to assist the Registrar in the performance of his
21 functions under this Act on terms and conditions of service determined by
22 the Council.

Appointment
of the Registrar,
his duties and
functions

23 (2) The Registrar shall:

24 (a) be a citizen of Nigeria;

25 (b) possess a minimum qualification of second degree in
26 psychology or in any relevant field from a recognised institution of higher
27 learning; and

28 (c) have at least 10 years cognate experience and possess any
29 professional qualification as the Council may deem fit.

30 (3) If the Registrar retires or resigns from office, a qualified

1 member of the Council shall be appointed by the Board as the Registrar of the
2 Council.

3 (4) There shall be the offices of the Deputy Registrars who shall be
4 administrative heads in each of the six geopolitical zones of Nigeria for the
5 purposes of smooth administration of the Council at the zones and for such
6 other important duties that may be assigned to him by either the Councilor
7 Registrar.

8 (5) The Deputy Registrars shall fulfill the conditions stipulated under
9 subsection (2) to qualify for appointments.

10 (6) The Registrar shall be the Secretary to the Council and to the
11 Disciplinary Tribunal.

12 (7) The Registrar shall prepare and maintain, in accordance with rules
13 made by the Council:

14 (a) a register of the names, addresses, approved qualifications, and of
15 such other qualifications and particulars as may be specified in the rules of all
16 persons who are entitled, in accordance with the provisions of this Act to be
17 enrolled as Fellow, Associate Fellow, Chartered Member, Member, graduate
18 Member, and who, in the manner prescribed by such rules, applies to be so
19 registered; and

20 (b) a register of the institutions or organisations where members of the
21 profession engage in their practice.

22 (8) The register shall consist of six parts:

23 (a) first part in respect of Fellow;

24 (b) second part in respect of Associate Fellow;

25 (c) third part in respect of Chartered Member;

26 (d) fourth part in respect of Member;

27 (e) fifth part in respect of Graduate Member; and

28 (f) sixth part in respect of the premises of members.

29 (9) Subject to the provisions of this section, the Council shall make
30 rules with respect to the form, keeping of the register and the making of entries

1 therein, and in particular:

2 (a) regulate the making of applications for enrolment of
3 registration, as the case may be, and providing for the evidence to be
4 produced in support of such applications;

5 (b) provide for the notification to the Registrar, by the person to
6 whom the registered particulars relate, of any change in those particulars;

7 (c) authorise a registered person to have any qualification which is
8 in relation to the profession, whether an approved qualification or an
9 accepted qualification for the purposes of this Act, registered in relation to
10 name in addition to, or as he may elect, in substitution for any other
11 qualification so registered;

12 (d) specify the fees, including any annual subscription, to be paid to
13 the Council in respect of the entry of names on the register, and authorising
14 the Registrar to refuse to enter a name on the register until the fee specified
15 for the entry has been paid;

16 (e) specify anything not specified under this section, but 0rules
17 made for the purposes of paragraph (d) shall not come into force until they
18 are confirmed at the Annual General Meeting of the Nigerian Psychological
19 Association.

20 (10) The Registrar shall:

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

24 (b) make any necessary alteration to the registered particulars of
25 registered persons and institution or organisation;

26 (c) remove from the register the name of any registered person who
27 has died or the person whose temporary registration has ceased; and

28 (d) record the names of registered persons who are in default for
29 more than six months in the payment of annual dues, and take such action in
30 relation the default (including removal of the names of defaulters from the

1 register) as the Council may direct or require.

2 (11) The Registrar may remove the particulars relating to the person
3 in question from the relevant part of the register if the Registrar:

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

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

11 (12) Notwithstanding the provisions of subsection (11) (a) and (b), the
12 Council may direct the Registrar to restore to the appropriate part of the register
13 any particulars removed

14 (13) When a person's name is entered on the register of Psychologists
15 under this section, that person shall thereupon be taken to become a member of
16 the Nigerian Council for Psychologists.

Publication of
the register

17 **9.**-(1) The Registrar shall:

18 (a) cause the register to be printed, published and put on sale to
19 members of the public, not later than two years from the commencement of this
20 Act;

21 (b) thereafter in each year, cause to be printed, published and put on
22 sale, either a corrected edition of the register or a list of connections made to the
23 register, since it was last printed;

24 (c) cause a print of each edition of the register and of each list of
25 corrections to be deposited at the principal offices of the Council; and

26 (d) keep the register and lists so deposited open to members of the
27 public at all reasonable times for inspection.

28 (2) A document purporting to be a print of an edition of the register
29 published under this section by authority of the Registrar in the current year, or
30 documents purporting to be prints of an edition of the register so published in

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

7 (3) Where, in accordance with subsection (2), a person is, in any
8 proceeding, 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 proceedings as having at all material times thereafter continued to be,
11 or not to be so enrolled or registered.

12 PART V - REGISTRATION

13 **10.**-(1) A person shall not hold any appointment or practise as a
14 Psychologist in Nigeria, unless he is registered with, and licensed by, the
15 Council under the provisions of this Act.

Registration of
members of the
Council

16 (2) A registered Psychologist shall be licensed, and is entitled to
17 practise as a Psychologist in Nigeria either as:

- 18 (a) a clinician;
19 (b) a researcher;
20 (c) scientist- practitioner; or
21 (d) restricted or limited licensee.

22 (3) Subject to section 12 of this Act and requirements under section
23 8 (10) of this Act, a person is entitled to be:

- 24 (a) fully registered as a Psychologist under this Act, if he:
25 (i) is a Nigerian citizen,
26 (ii) is of good character and a fit and proper person,
27 (iii) has attended a course of training approved by the Council
28 under section 15 of this Act, or the course was conducted at an institution
29 approved by the Council,
30 (iv) holds a qualification approved by the Council,

1 (v) has undergone the statutory continuous internship training for at
2 least one year under a registered Psychologist approved by the Council for the
3 purpose of internship or in an institution approved for that purpose by the
4 Council and has obtained a certificate of experience,

5 (vi) holds a certificate of experience issued under section 11 (1) (c) of
6 this Act, and

7 (vii) pays the prescribed fee;

8 (b) registered as a Fellow, if he:

9 (i) has attended a course of training approved by the Council or the
10 course was conducted at an institution so approved by the Council,

11 (ii) holds a qualification approved by the Council,

12 (iii) has undergone the statutory internship training in an institution
13 approved for that purpose by the Council and under a registered Psychologist
14 approved by the Council for that purpose,

15 (iv) shall have spent five years as Associate fellow, and

16 (v) pays the prescribed fee;

17 (c) registered as an Associate Fellow, if he:

18 (i) has attended a course of training approved by the Council or the
19 course was conducted at an institution so approved by the Council,

20 (ii) holds a qualification approved by the Council,

21 (iii) has undergone the statutory internship training in an institution
22 approved for that purpose by the Council and under a registered Psychologist
23 approved by the Council for that purpose,

24 (iv) shall have spend five years as Chartered Member, and

25 (v) pays the prescribed fee;

26 (d) registered as a Chartered Member, if he:

27 (i) has attended a course of training approved by the Council or the
28 course was conducted at an institution so approved by the Council,

29 (ii) holds a qualification approved by the Council,

30 (iii) has undergone the statutory internship training in an institution

1 approved for that purpose by the Council and under a registered
2 Psychologist approved by the Council for that purpose,

3 (iv) shall have spend five years as Member, and

4 (v) pays the prescribed fee;

5 (e) registered as a Member, if he:

6 (i) has attended a course of training approved by the Council or the
7 course was conducted at an institution so approved by the Council,

8 (ii) holds a qualification approved by the Council,

9 (iii) has undergone the statutory internship training in an institution

10 approved for that purpose by the Council and under a registered
11 Psychologist approved by the Council for that purpose;

12 (iv) shall have spend two years as Graduate Member, and

13 (v) pays the prescribed fee;

14 (f) registered as a Graduate Member, if he:

15 (i) has attended a course of training approved by the Council or the
16 course was conducted at an institution so approved by the Council,

17 (ii) holds a qualification approved by the Council,

18 (iii) is undergoing or has undergone the statutory internship
19 training in an institution approved for that purpose by the Council and under
20 a registered Psychologist approved by the Council for that purpose, and

21 (iv) pays the prescribed fee.

22 **11.-(1)** Subject to the provisions of section 10 of this Act, a
23 Nigerian citizen who qualified in an approved institution outside Nigeria is
24 entitled to be fully registered under this Act, if he satisfies the Council that:

Registration of
Nigerians who
are qualified
outside Nigeria

25 (a) he holds a qualification granted outside Nigeria and for the time
26 being accepted by the Council for the purposes of this subsection as regards
27 the profession;

28 (b) in the country in which the qualification was granted he was
29 under no legal disability in the practice of Psychology;

30 (c) he holds a certificate of registration as a Psychologist from the

1 country of study;

2 (d) in addition to any other condition that may be prescribed by the
3 Council, he had received instructions in an approved institution in Nigeria and
4 passed such examination as the Council may prescribe; and

5 (e) he pays the prescribed fee.

6 (2) A person aggrieved by a decision of the Council under this section
7 may appeal to the Minister of Health within one month after notification of the
8 refusal is communicated to him.

Registration of
non-citizens of
Nigeria

9 **12.**-(1) A person who is not a citizen of Nigeria may be registered as a
10 Psychologist under this Act if the country of which he is a citizen or national, as
11 the case may be, grants reciprocal registration facilities to Nigerian citizens
12 and if:

13 (a) he holds a qualification approved by the Council;

14 (b) he has passed the Council's examination in law and ethics
15 governing the practice of psychology in Nigeria and such other examinations
16 as the Council may prescribe and before being registered acquires the required
17 experience in accordance with section 11 (1) (a) of this Act; and

18 (c) has been resident in Nigeria for at least 24 calendar months and
19 shall have been enrolled or undergoing internship in Nigeria.

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

22 (a) is of good character;

23 (b) has attained the age of 21 years;

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

26 (d) has paid the prescribed fee.

27 (3) The Council may provisionally accept a qualification produced in
28 respect of an application for registration under this section or direct that the
29 application be renewed within such period as may be specified in the direction.

30 (4) Any entry directed to be made in the register under subsection (3)

1 shall show that such registration is provisional and no entry so made shall be
2 converted to full registration without the consent of the Council signified in
3 writing in that respect.

4 **13.** The Council shall publish in the Federal Government Gazette Public registration
in the Gazette
5 particulars of qualifications for the time being accepted for registration
6 under this Act.

7 **14.-(1)** No registered person shall practise as a Psychologist in any Rules as to
practice
8 year unless he has paid to the Council in respect of that year the appropriate
9 practising fee which shall be due every January as prescribed under this
10 section:

11 (a) in the case of a Psychologist of at least 15 years post-
12 registration experience, N25,000.00;

13 (b) in the case of a Psychologist of at least 15 years but more than
14 10 years post-registration experience, N20,000.00;

15 (c) in the case of a Psychologist of 10 years post-registration
16 experience and below, N10,000.00;

17 (d) in the case of a Psychologist undergoing internship training,
18 N5,000.00; and

19 (e) in the case of a Psychologist trained abroad and currently
20 holding Bachelor of Psychology and Masters in any field of Psychology
21 who is back in Nigeria for the purpose of National Service Youth Corps
22 (NYSC), during his year in the National Service Youth Corps scheme,
23 N5,000.00.

24 (2) Without prejudice to being fully registered, any Psychologist
25 with at least 50 years post registration experience shall not pay practising
26 fee.

27 (3) Every fully registered Psychologist who has paid his
28 registration fee as prescribed in subsection (1) or is exempted from payment
29 of registration fee as in subsection (2) is entitled to an annual practising

1 licence authorising him subject to any regulation in force to practise in Nigeria.

2 (4) The Council may, with the confirmation of the Minister of Health,
3 vary the practising fees prescribed in subsection (1).

4 (5) The Council shall share the aggregate amount collected as
5 practising fees as:

6 (a) 70% to the Nigerian Psychological Association; and

7 (b) 30% to the Council.

8 (6) Any Psychologist who, in respect of any year without paying the
9 practising fee, practises as such commits an offence and is liable on conviction
10 by a competent panel of enquiry or court of law:

11 (a) in the case of a first offence, to a fine of twice the prescribed
12 practising fee;

13 (b) in the case of second or subsequent offence, to a fine of not less
14 than 10 times the prescribed practising fee; and

15 (c) if the Psychologist is in the employment of any person, the
16 employer is also guilty of an offence punishable in like manner as the
17 Psychologist if it is proved that the failure to pay the practising fee was with his
18 knowledge, consent and connivance.

Approval of
qualifications

19 **15.**-(1) The Council may approve any institution (accredited by a
20 recognised regulatory body) for the purposes of this Act and may approve any:

21 (a) course of training at any approved institution which is intended for
22 persons seeking to become or are already Psychologist and which in the
23 opinion of the Council is designed to confer on persons completing it sufficient
24 knowledge and skill for the practice of the profession; and

25 (b) qualification which, as a result of an examination taken in
26 conjunction with a course of training approved by the Council under this
27 section is granted to candidates who reached a standard at the examination
28 indicating in the opinion of the Council that the candidates have sufficient
29 knowledge and skill to practise as a Psychologist.

30 (2) The Council may, if it deems fit, withdraw any approval given

1 under this section in respect of any course, qualification or institution, but
2 before withdrawing such an approval, the Council shall:

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

7 (b) afford each such person an opportunity to make representation
8 to the Council with regard to the proposal; and

9 (c) take into consideration any representation made as regards the
10 proposal;

11 (3) A course, qualification or institution shall not be treated as
12 approved during the period the approval is withdrawn under subsection (2).

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

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

23 (a) publish a copy of every such instrument in the Federal
24 Government Gazette; and

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

27 **16.-(1)** The Council shall keep itself informed of the nature of the:

28 (a) instruction given at approved institutions to persons attending
29 approved courses of training; and

Supervision of
instructions and
examinations
leading to approved
qualifications

1 (b) examination as a result of which approved qualifications are
2 granted;

3 (2) For the purposes of discharging that duty, the Council may
4 appoint, either from among its own members or otherwise, persons to visit
5 approved institutions or to attend such examinations.

6 (3) A Visitor under this section shall report to the Council on:

7 (a) the adequacy of the instruction given to persons attending
8 approved courses of training at institutions visited by him;

9 (b) the adequacy of the examinations attended by him; and

10 (c) any other matter relating to the institutions or examinations on
11 which the Council may, either generally or in a particular case, request him to
12 report, but no such person shall interfere with the giving of any instructions or
13 the holding of any examination.

14 (4) On receiving, a report made under this section, the Council may, if
15 it deems fit, and shall, if so required by the instructions, send a copy of the
16 report to the person appearing to the Council to be in charge of the institution or
17 responsible for the examinations to which the report relates, requesting that
18 person to make observation on the report to the Council within such period as
19 may be specified in the request, not being more than one month beginning with
20 the date of the request.

21 (5) There shall be established a College of Psychology (in this Act
22 referred to as "the College") which shall be the training arm of the Nigerian
23 Council for Psychologists where prospective members shall undergo training
24 for a specified period of time and pass relevant examinations before induction
25 into membership.

26 (6) The College shall be headed by a Director-General who shall be
27 appointed by the Board and the activities of the College shall be regulated by
28 the Board.

29 (7) There shall be other Directors and relevant officers to be appointed

1 by the Director-General with the approval of the Board for the smooth
2 running of the College.

3 (8) The conditions of service and the tenure of office of the
4 Director-General and other Directors of the College shall be specified in
5 their letters of appointment and be determined by the Board.

6 PART VI - DUTIES OF PSYCHOLOGISTS

7 17. It is the exclusive duties of the psychologists, as defined by this
8 Act, to provide such professional services in line with their training and such
9 duties include:

Duties of a
Psychologist

10 (a) provision of psychological services involving psychological
11 assessment using psychological tests;

12 (b) provision of psychological treatment including psychotherapy,
13 behaviour therapy, cognitive behaviour therapy psychoprophylaxis,
14 psychoeducation and all other treatment that are psychological in nature;

15 (c) development, custody and use of psychological tests;

16 (d) development and use of personality tests and assessment
17 thereof for clinical, industrial or organisational, personnel evaluation and
18 placement, educational, or for other uses where psychological variables of
19 individuals are needed for relevant decisions;

20 (e) conduct of psychological fitness to work tests;

21 (f) development and use of intelligence test batteries; and

22 (g) all other duties where certification as psychologists is required
23 for effective competent performance and for public good in line with global
24 practices.

25 PART VII - PROFESSIONAL DISCIPLINE

26 18.-(1) There is established for the Council the Investigating Panel
27 (in this Act referred to as "the Panel") charged with the duty of:

Establishment
of Investigating
Panel and
Disciplinary
Tribunal

28 (a) conducting preliminary investigations into any case where it is
29 alleged that a person registered has misbehaved in his capacity as a
30 Psychologist or should for any other reason be the subject of proceedings

1 before the Tribunal; and

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

3 (2) The Panel shall be constituted by the Board and shall consist of six
4 members of the Council and one member of the Board who shall be the
5 Chairman of the Panel.

6 (3) There is established for the Council the Disciplinary Tribunal (in
7 this Act referred to as "the Tribunal) charged with the duties of considering and
8 determining any case referred to it by the Panel and any other case which the
9 Tribunal takes cognisance of under this Act.

10 (4) The Tribunal shall consist of the Chairman of the Council and
11 eight members of the Council appointed by the Board.

12 (5) The provision of the Second Schedule to this Act shall, if
13 applicable to the Tribunal and Panel respectively, have effect with respect to
14 those bodies.

15 (6) The Council shall not make rules that are not consistent with this
16 Act as to acts which constitute professional misconduct.

17 (7) The Panel shall act independently in receiving and investigating
18 allegations under subsection (3) and shall have power to receive complaints
19 directly from any individual or organisation.

20 (8) A person shall not be appointed as a member of the Tribunal or
21 Panel unless such a person is a Fellow of the Council.

Penalties for
professional
misconduct

22 **19.**-(1) Where:

23 (a) a person registered under this Act is judged by the Tribunal to be
24 guilty of infamous conduct in any professional respect, or

25 (b) a person registered under this Act is convicted by any court or
26 Tribunal in Nigeria or elsewhere having power to award imprisonment, of an
27 offence (whether or not an offence punishable with imprisonment) which, in
28 the opinion of the Tribunal, is incompatible with the status of a Psychologist, or

29 (c) the tribunal is satisfied that the name of any person has been
30 fraudulently registered, the Tribunal may, if it deems fit, give any of the

1 directions specified in subsection (2).

2 (2) The Tribunal may give a directive under subsection (1):

3 (a) ordering the Registrar to strike the person's name off the
4 relevant part of the register; or

5 (b) suspend the person from practice by ordering him not to engage
6 in practice as Psychologist for such period not exceeding three years as may
7 be specified in the direction; or

8 (c) admonish that person.

9 (3) The Tribunal may, if it deems fit, defer or further defer its
10 decision as to the giving of a direction under subsection (1) until a
11 subsequent meeting of the Tribunal, but no:

12 (a) decision shall be deferred under this subsection for periods
13 exceeding two years in the aggregate; and

14 (b) person shall be a member of the Tribunal for the purposes of
15 reaching a decision which has been deferred or further deferred, unless he
16 was present as a member of the Tribunal where the decision was deferred.

17 (4) For the purposes of subsection (1) (b), a person shall not be
18 treated as convicted, unless the conviction stands at a time when to appeal or
19 further appeal is pending or may (without extension of time) be brought in
20 connection with the conviction.

21 (5) When the Tribunal gives a direction under subsection (1), the
22 Tribunal shall cause notice of the direction to be served on the person to
23 whom it relates.

24 (6) A person to whom a direction relates may, at any time within 28
25 days from the date of service on him of notice of the direction, appeal against
26 the direction to the Federal High Court and the Tribunal may appear as
27 respondent to the appeal and, for the purpose of enabling directions to be
28 given as to the costs of the appeal and of proceedings before The Tribunal,
29 and the Tribunal is deemed to be a party thereto whether or not it appears on
30 the hearing of the appeal.

1 (7) A direction of the Tribunal under subsection (I) takes effect where:

2 (a) no appeal under this section is brought against the direction within
3 the time limited for such an appeal, or on the expiration of that time;

4 (b) an appeal is brought and is withdrawn or struck out for want of
5 prosecution, on the withdrawal or striking out of the appeal; and

6 (c) an appeal is brought and is not withdrawn or struck out as
7 aforesaid, if and when the appeal is dismissed and shall not take effect in
8 accordance with the provisions of this subsection.

9 (8) A person whose name is struck off the register under a direction of
10 the Tribunal under this section is not entitled to be registered in that register
11 again except under direction in that behalf given by the Tribunal on the
12 application of that person.

13 (9) A direction under subsection (8) for the striking off of a person's
14 name from the register may prohibit an application under this subsection by
15 that person until the expiration of such period from the date of the direction
16 (and where he has duly made such an application, from the date of his last
17 application, as may be specified in the direction)

18 PART VIII - MISCELLANEOUS

Application of
the Act to
un-enrolled persons

19 **20.** Any person who is not a member of the Nigerian Psychological
20 Association (in this Act referred to as "the Association") but, for this the
21 purpose of this Act would have been qualified to apply for and obtain
22 membership of the Association may, within the period of three months
23 beginning from the commencement of this Act, apply for membership of the
24 profession in such manner as may be prescribed by rules made by the Council,
25 and if approved, he shall be registered, according to his qualification.

Persons deemed
to practice as
professional
psychologists

26 **21.** A person is deemed to practise as a Psychologist if, in
27 consideration of remuneration received or to be received and whether by
28 himself or in partnership with any other person he:

29 (a) engages himself in the practice of psychology or holds himself out
30 to the public as a psychologist after being duly certified by the Council to have

1 met all necessary requirements;

2 (b) renders professional service or assistance in or about matters of
3 principle or detail relating to psychology; or

4 (c) renders any other service or assistance in or about matters of
5 principle or detail relating to psychology.

6 **22.**-(1) The Council may make rules for the:

Rules as to
practice

7 (a) training of suitable persons in any field of Psychology methods
8 and practice; and

9 (b) supervision and regulation of the engagement, training and
10 transfer of such persons;

11 (c) prescribing the form of licence to practise to be issued annually
12 or, if the Council deems fit, by endorsement of an existing licence;

13 (d) restricting the right to practise as a Psychologist in default of
14 payment of the amount of the annual subscription where the default
15 continues for longer than such period as may be prescribed by the rules; and

16 (e) restricting the right to practise as a Psychologist if the
17 qualification granted outside Nigeria does not entitle the holder to practice
18 as a Psychologist.

19 (2) Rules when made under this section shall, if the Chairman of
20 the Council so directs, be published in the Federal Government Gazette.

21 **23.** The Council shall:

Provision of
library facilities

22 (a) provide and maintain a library comprising books and
23 publications for the advancement of knowledge of Psychology and such
24 other books and publications as the Council may deems necessary for the
25 purpose; and

26 (b) encourage research into psychology disciplines and allied
27 subjects to the extent that the Council may consider necessary.

28 **24.** -(1) A person who is not a registered Psychologist commits an
29 offence if:

Offences and
penalties

30 (a) for or in expectation of reward, practices or holds himself out to

1 practice as a Psychologist; or
2 (b) take or use the title Psychologist; or
3 (c) without reasonable excuse, takes or uses any name, title addition
4 or description implying that he is authorised by law to practice as a
5 Psychologist.

6 (2) A person who, for the purpose of procuring the registration of any
7 name, qualification or other matter:

8 (a) makes a statement, or

9 (b) recklessly makes a statement, which believes to be false, commits
10 an offence.

11 (3) If, on or after the relevant date, any person who is not a member of
12 the profession and practises or holds himself out to practise for or in
13 expectation of reward or takes or uses name, title, addition or description
14 implying that he is authorised by law to practice as a Psychologist, commits an
15 offence.

16 (4) In the case of a person falling within section 20 of this Act:

17 (a) the provisions of subsection (3) does not apply In respect of
18 anything done by him during the period of three months mentioned in section
19 20;

20 (b) if, within that period, he duly applies for membership of the
21 profession then, unless within that period he is notified that his application has
22 not been approved, the provision of subsection (3) does not apply in respect of
23 anything done by him between the end of that period and the date on which he is
24 registered or is notified; and

25 (c) if the Registrar, or any other person employed by or on behalf of
26 the Council, willfully makes any falsification in any matter relating to the
27 register, he commits an offence.

28 (5) A person commits an offence under this section and is liable:

29 (a) on summary conviction, to a fine of at least N100,000.00;

30 (b) on conviction or indictment, to a fine of at least N100,000.00 or to

1 imprisonment for four years, or both.

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

10 **25.**-(1) In this section, "the relevant date" means the second
11 anniversary of the coming into effect of this Act or such earlier date as may
12 be prescribed for the purposes of this section by order of the Minister
13 published in the Federal Government Gazette.

Regulations and
rules

14 (2) Any regulation made under this Act shall be published in the
15 Federal Government Gazette as soon as may be after there are made, a copy
16 of such regulations shall be sent to the Minister not later than seven days
17 before they are so published.

18 (3) Rules made for the purposes of this Act are subject to
19 confirmation by the Nigerian Psychological Association at its next meeting
20 or at any special meeting of the Association for that purpose, and if then
21 annulled, shall cease to have effect on the day after the date of annulment,
22 but without prejudice to anything done in pursuance or intended to be done
23 in pursuance of such rules.

24 **26.** In this Act:

Interpretation

25 "Association" means the Nigerian Psychological Association;

26 "Board" means the Governing Board of the Council established under
27 section 4(1) of this Act;

28 "Council" means the Nigerian Council for Psychologists established under
29 section I(1) of this Act;

30 "Disciplinary Tribunal" means the Nigerian Council for Psychologists

1 Disciplinary Tribunal established under section 18 (3) of this Act;
2 "fees" include annual subscription;
3 "Member" means a registered member of the profession, which includes
4 Graduate Members, Members, Chartered Members, Associate Fellows and
5 Fellows;
6 "Minister" means the Minister charged with the responsibility for matters
7 relating to Health;
8 "Panel" means the Nigerian Council for Psychologists Investigating Panel
9 established under section 18 (1) of this Act;
10 "profession" means the practice of Psychology; and
11 "register" means the register prepared and maintained under section 8 (8) of
12 this Act.

Citation

13 **27.** This Bill may be cited as the Nigerian Council for Psychologists
14 (Establishment) Bill, 2020.

15 SCHEDULES

16 FIRST SCHEDULE

17 *Section 5 (3)*

18 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

19 *Qualifications and Tenure of Office of Members of the Council*

20 1.-(1) A person shall not be a member of the Council unless he is a
21 Nigerian citizen fully registered under this Act as a Psychologist and at the date
22 of his appointment, has had not less than 17 years registration experience in
23 Psychology profession.

24 (2) Subject to the provision of this paragraph, a member of the
25 Council shall hold office for three years beginning with the date of his
26 appointment or election.

27 (3) Any member of the Board, other than a member appointed by the
28 office, may, by notice in writing under his hand addressed to the Chairman,
29 resign his office.

30 (4) A person who retires or ceases to be an elected member of the

1 Council is eligible again to become a member of the Council, and
2 any appointed member may be re-appointed.

3 (5) If for any reason there is a vacation in office of a member:

4 (a) such member was appointed by the Minister or any other body,
5 the Minister or that body may appoint another fit person to fill that vacancy;

6 (b) such member was elected, the Council may, if the time between
7 the unexpired portion of the term of office and the next general meeting of
8 the Council appears to warrant the filling of the vacancy, co-opt a fit person
9 for such time.

10 *Proceedings of the Council*

11 2. -(1) Subject to the provisions of this Act, the Council may make
12 standing orders regulating its proceedings or any of its committee.

13 (2) Questions for determinations shall be decided by a majority of
14 the members present and voting and, in the event of equality of votes, the
15 Chairman shall have a casting vote.

16 (3) Standing orders made for a committee shall provide for the
17 committee to report back to the Council on any matter referred to it by the
18 Council.

19 (4) The quorum of the Council shall be two third and the quorum of
20 a committee of the Council shall be fixed by the Council.

21 *Meeting of the Council*

22 3.-(1) Subject to the provisions of any standing orders of the
23 Council, the Council shall meet whenever it is summoned by the Chairman
24 and, if the Chairman is required to do so by notice in writing given to him by
25 at least five other members, he shall summon a meeting of the Council to be
26 held within 14 days from the date on which the notice is given, the Council
27 shall meet at least twice a year.

28 (2) At any meeting of the Council, the Chairman shall preside and
29 in his absence, the Vice Chairman shall preside, but in their absence, the
30 members present at the meeting shall appoint one of their members to

1 preside at the meeting.

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

7 (4) Notwithstanding anything in the foregoing provisions of this
8 paragraph, the first meeting of the Council shall be summoned by the Minister.

9 4.-(1) The Council may set up one or more committees to carry out on
10 behalf of the Council such functions as the Council may determine.

11 (2) A committee set up under this paragraph shall consist of the
12 number of persons determined by the Council of whom not more than two-
13 third may be persons who are not members of the Council.

14 (3) A person other than a member of the Council shall hold office on
15 the committee in accordance with the terms of the letter by which he is
16 appointed.

17 (4) A decision of a committee of the Council is of no effect until it is
18 confirmed by the Council.

19 *Miscellaneous*

20 5.-(1) The fixing of the seal of the Council shall be authenticated by
21 the signature of the Chairman and the Registrar who is the Secretary of the
22 Board of the Council.

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

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

30 (4) The validity of any proceeding of the Board or of a committee of

- 1 the Council is not adversely affected by:
- 2 (a) any vacancy in membership of the Board;
- 3 (b) any defect in the appointment of a member of the Board or of a
4 person to serve on the committee; or
- 5 (c) reason that a person not entitled to do so took part in the
6 proceedings.
- 7 (5) Any member of the Council and any person holding office of a
8 committee of the Council, who has a personal interest in any contract or
9 arrangement entered into or proposed to be considered by the Council or a
10 committee shall disclose his interest, and shall not vote on any question
11 relating to the contract or arrangement.
- 12 (6) A person shall not by reason only of his membership of the
13 Council be treated as holding an office in the Public Service of the
14 Federation.

15 SECOND SCHEDULE

16 *Section 18 (5)*

17 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

18 TRIBUNAL AND INVESTIGATING PANEL

19 *The Investigating Panel*

- 20 1. The quorum of the Panel shall be three, all of whom shall be
21 Clinical Psychologist.
- 22 2.-(1) The Panel may, at any of its meetings attended by all the
23 members of the Panel, make standing orders with respect to the Panel.
- 24 (2) Subject to the provisions for any such standing orders, the Panel
25 may regulate its own procedure.
- 26 3.-(1) A person ceasing to be a member of the Tribunal or the Panel
27 shall be eligible for appointment as a member of that body.
- 28 (2) A person may, if otherwise eligible, be a member of both the
29 Tribunal and the Panel; but no person who acted as member of the Panel with

1 respect to any case shall act as a member of the Panel with respect to that case.

2 *The Disciplinary Tribunal*

3 4. The quorum of the Tribunal shall be four members.

4 5.-(1) The Attorney-General of the Federation shall make rules as to
5 the:

6 (a) selection of members of the Tribunal for the purpose of any
7 proceeding;

8 (b) procedure to be followed; and

9 (c) rules of evidence to be observed in proceedings before the
10 Tribunal.

11 (2) The rules shall in particular provide:

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

15 (b) for determining who, in addition to the person aforesaid, shall be
16 party to the proceedings;

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

19 (d) for securing that any party to the proceedings may be represented
20 by a legal practitioner;

21 (e) subject to the provisions of section 19 (6) of this Act, as to the costs
22 of proceedings before the Tribunal;

23 (f) for requiring, in a case where it is alleged that the person who is the
24 subject of the proceedings is guilty of infamous conduct in any professional
25 respect, that where the Tribunal adjudges that the allegation has not been
26 proved it shall record a finding that the person is not guilty of such conduct in
27 respect of the matters to which the allegation relates; and

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

1 6. For the purposes of any proceeding before the Disciplinary
2 Tribunal any member of the Disciplinary Tribunal may administer oaths and
3 any party to the proceedings may issue out of the Registry of the Federal
4 High Court writs of subpoena ad testificandum and decestecum but no
5 person appearing before the tribunal shall be compelled to:

6 (a) make any statement before the Tribunal tending to incriminate
7 himself; or

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

10 7.-(1) For the purpose of advising the Tribunal on questions of law
11 arising in the proceedings before it, there shall, in all such proceedings be an
12 assessor to the Tribunal who shall be appointed by the Council on the
13 nomination of the Attorney- General of the Federation and shall be a legal
14 practitioner of at least seven years standing.

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

18 (a) that where an assessor advises the Tribunal on any question of
19 law as to evidence, procedure or any other matters specified by rules, he
20 shall do so in the presence of every party or person representing a party to the
21 proceedings who appear there or, if the advice is tendered while the Tribunal
22 is deliberating in private, that every such party or person as aforesaid shall be
23 informed what advise the assessor has tendered; and

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

27 (3) An assessor may be appointed under this paragraph either
28 generally or for any particular class or proceedings and shall hold and vacate
29 office in accordance with the terms of the letter by which he is appointed.

30 8. The Tribunal or Panel may act notwithstanding any vacancy in

1 its membership, and the proceedings of either body shall not be invalidated by
2 any irregularity in the appointment of a member of that body or subject to
3 paragraph 7 (2) of this Schedule, by reason of the fact that any person who was
4 not entitled to do so took part in the proceedings of that body.

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

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

9 11. A person shall not by reason of his appointment as an assessor to
10 the Tribunal, be treated as holding an office in the public service of the
11 Federation.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Council for Psychologists charged with the responsibility determining the standard of knowledge and skill to be attained by persons seeking to become registered members of the psychology profession in Nigeria.