

A BILL

FOR

AN ACT TO ESTABLISH CHARTERED INSTITUTE OF DEVELOPMENT STUDIES AND ADMINISTRATION OF NIGERIA CHARGES WITH THE RESPONSIBILITY TO ADVANCING THE STUDY, TRAINING AND DETERMINING THE STANDARDS OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS OF THE INSTITUTE AND FOR RELATED MATTERS

Sponsored by Hon. Alex Egbona

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF
2 DEVELOPMENT STUDIES AND ADMINISTRATION OF NIGERIA

3 **-(1)** There is established a Chartered Institute of Development
4 Studies and Administration of Nigeria (hereinafter in this Bill referred to as
5 "institute")

Establishment
of the Chartered
Institute of
Development
Studies and
Administration
of Nigeria

6 (2) The Institute:

7 (a) Shall be a body Corporate with perpetual succession and a
8 common seal;

9 (b) May acquire, hold and dispose of real and personal property;
10 and

11 (c) May sue or be sued in its corporate name.

12 **2.-(a)** Determine what standards of knowledge and skill are to be
13 attained by persons seeking to become members of the Institute and improve
14 those standards from time to time;

The objectives
of the Institute

15 (b) Secure in accordance with the provisions of this Bill, the
16 establishment and maintenance of a register of persons, registered under this
17 Bill as members of the profession and the publication from time to time lists

1 of those persons;

2 (c) Provide consultancy services in appropriate cases;

3 (d) Arranging conferences, seminars, symposia and meetings; and

4 (e) Carryout such functions that are intended to facilitate the
5 achievement of the objects contained in this Bill.

Establishment
of Governing
Council and
Management

6 **3.-(1)** There is established for the Institute, a governing council (in
7 this Bill referred to as the "The council") which shall be charged with the
8 responsibilities for the administration and general management of the Institute:

9 (a) Chairman of the Governing Council of the Institute;

10 (b) A President of the Institute;

11 (c) 1st and 2nd Vice President;

12 (d) Seven (7) Representatives of the founding Members of the
13 Institute;

14 (e) Six representatives of membership of the institute (One from each
15 Geo-Political Zone of the Country;

16 (f) Immediate Past President of the Institute;

17 (g) A Registrar who shall also be the Secretary of the Council;

18 (h) A Representatives each from the following:

19 (i) Federal Ministry of Education;

20 (ii) The National Board for Technical Education;

Appointment
of the Chairman
of the Governing
Board of the
Institute

21 **4.** There shall be for the Institute a chairman of the Governing Council
22 who shall be the pioneer President of the Institute to be appointed on that sole
23 basis and shall hold office for an unlimited period except otherwise resigned,
24 dead or permanently incapacitated.

Election of
President and
Vice Presidents
of the Institute

25 **5.** There shall be for the Institute a President and two Vice president
26 who shall be chartered members of fellows of the Institute to be elected by the
27 Chartered members at an annual General meeting and holds office each for a
28 term of two years from the date of election and shall not be eligible for re-
29 election after two terms of two years each.

1 **6.** The Institute has power to do all things necessary and
2 convenient to be done in connection with the performance of its functions
3 and in particular may:

Power of the
Institute

- 4 (a) enter into contracts;
5 (b) Charge fees for its services;
6 (c) Make regulations for the conferment of charters;
7 (d) Make penal regulations; and
8 (e) The Institute shall have the power to award honorary
9 membership of the Institute to persons it deems worthy of such honour on
10 terms and conditions prescribed by the council and approved by the Institute
11 in a general meeting.

12 PART II - APPOINTMENT OF REGISTRAR AND PREPARATION
13 OF REGISTER

14 (1) The Council shall Appoint the Registrar who shall be the Chief
15 executive officer of the Institute.

Appointment
of Registrar and
preparation of
Register

16 (2) A person appointed as the Registrar shall have served the
17 Institute for a period not less than (2) two years preceding the date of his
18 appointment.

19 (3) The Registrar shall prepare and maintain in accordance with the
20 rules and regulations made by the Council, a register of:

- 21 (a) Names;
22 (b) Addresses;
23 (c) approved qualifications; and
24 (d) Other particulars,
25 Of all person who are entitled to be enrolled as fellows, members associates
26 or registered student and who in the manner prescribed by such rules apply
27 to be so registered.

28 (1) The Registrar shall be the Secretary to the Council and shall
29 keep minutes of proceedings at all meetings of the Council.

Functions of the
Registrar

30 (2) The Registrar Shall:

1 (a) in accordance with the directions of the Council correct any entry
2 in the register which the Council directs him to correct as being in the opinion
3 of the Council and entry which was incorrectly made;

4 (b) from time to time, make any necessary alterations to the
5 particulars of registered members;

6 (c) record the names of the registered members who are in default for
7 more than six months in the payment of annual subscriptions; and

8 (d) remove the names of defaulters from the registers as the council
9 may direct or require.

Other staff 10 (1) The Council may, on the recommendation of the Registrar appoint
11 such other staff as it may consider necessary to assist the Registrar in the
12 discharge of his duties.

13 (2) The employment of the Registrar and other staff shall be
14 pensionable, in accordance with the terms and conditions of service in the
15 Federal Government of Nigeria.

16 *Content of the Registrar*

17 The Register shall be in four parts namely:

18 (a) fellows;

19 (b) members;

20 (c) associates, and

21 (d) registered students

22 *Regulation*

23 The council may by regulations provide for the:

24 (a) manner of making entries in the Register;

25 (b) manner of application for enrolment or registration in the
26 Register;

27 (c) fees, including annual subscriptions payable to the Institute.

Publication of
the Registrar and
list of correction
etc.

28 The Registrar shall:

29 (a) Cause the registrar to be printed and published not later than two
30 years from the coming into force of this Bill;

1 (b) Thereafter in each year after the register is first
2 published under paragraph;

3 (c) Cause to be printed, published and put on sale a corrected
4 edition of the register;

5 (d) Cause a print of each of the register and of each list of
6 corrections to be deposited at the principal office of the Institute; and

7 (e) Make the register and lists so deposited available at all
8 reasonable times for inspection by members of the public.

9 A print of an edition of the register published under this section by
10 the Registrar (without prejudice to any other mode of proof) shall be
11 admissible in any proceeding as evidence that any person specified in the
12 register was so registered at the date of the edition, and that any person not so
13 specified was not so registered.

Evidence of
registration of
Chartered of
Development
Studies and
Administration
of Nigeria

14 PART III - REGISTRATION OF MEMBERSHIP QUALIFICATION FOR
15 MEMBERSHIP

16 (1) A person shall be entitled to be registered as a member of the
17 Institute if:

18 (a) he passes the qualifying professional examination conducted
19 by the council and completes the practical training prescribed;

20 (b) he holds a qualification accepted by the Council as sufficient
21 practical experience in Development studies and Administration;

22 (c) he holds a qualification granted outside Nigeria which
23 recognized by the Council and he is by law entitled to practice the profession
24 for all purpose in the country in which the qualification was granted.

25 (2) An applicant for registration shall in addition to evidence or
26 qualification satisfy the Council that:

27 (a) he is good character;

28 (b) he has attained the age of eighteen years; and

29 (c) he has not been convicted in Nigeria or elsewhere of an offence
30 involving dishonesty.

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

4 (4) An entry made under subsection (3), shall show that the
5 registration is provisional and such entry may only be converted to full
6 registration with the Consent of the Council, signified in writing.

7 *Publication in the Gazette*

8 The Council shall, periodically publish in the Gazette particulars of
9 qualifications acceptable for registration.

Designation of
members

10 (1) Members admitted to the Institute shall be:

11 (a) Registered as Chartered Institute of Development Studies and
12 Administrators in the categories of:

13 (i) fellows;

14 (ii) Members;

15 (iii) Associate; or

16 (iv) Registered students.

17 (2) Persons accorded by the Council the status of Chartered institute
18 of Development studies and Administration, shall be entitled to the use of that
19 name and shall be enrolled as fellows, if they are at least thirty-five years of age
20 and:

21 (i) Have ten years relevant work experience in public organizations;

22 (ii) Have, for at least three years in the past ten years, held in relevant
23 senior appointments in a public organization;

24 (iii) Are holders of the professional qualifying certificate of the
25 Institute; and

26 (iv) Are otherwise considered by the Council to be fit and proper
27 persons to be so enrolled.

28 (b) members, if they are thirty years of age or above and:

29 (i) Have passed a professional qualifying examination of the Institute;

1 (ii) Have at least eight years relevant work experience in a public
2 Organization.

3 (c) Associates, if they are twenty-one years of age or above and;

4 (d) have passed the professional qualifying examination of the
5 Institute or any equivalent examination recognized by the Institute; or

6 (ii) Have at least five years relevant work experience in a Public
7 Organization.

8 (d) registered students, if they are eighteen years of age or above
9 and have passed with Credits, west African School Certificate or General
10 Certificate Examination O/Level or Senior Secondary certificate
11 Examination in five papers at no more than two sittings.

12 *Designatory letters*

13 (a) Fellow of the Chartered Institute of Development studies and
14 Administrator of Nigeria which shall be FCIDSAN;

15 (b) a member of the Chartered Institute of Development Studies
16 and Administration of Nigeria, which shall be MCIDSAN;

17 (c) an Associate members of the chartered Institute of
18 Development studies and Administration of Nigeria which shall be
19 ACIDSAN; and

20 (d) Registered students registered for training shall become
21 professional members only after satisfying specified qualification
22 requirements for membership and pass prescribed examinations as
23 approved by the council bye-laws of the Institute.

24 *Approval for qualification, etc.*

25 The council may approve any course of training at any approved Institute
26 which is intended for person seeking to become or are already engaged in
27 Chartered Institute of Development Studies and Administration and which
28 the Council considers as being designed to confer on persons completing it
29 sufficient knowledge and skill for admission into the Institute.

Supervision of
instructions

1 (1) It shall be the duty of the Council to keep it self-informed of the
2 nature of::

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

5 (b) examination, the result of which qualifications are granted, and for
6 the purpose of performing that duty, the Council may appoint, either from
7 among its own members or otherwise, persons to visit approved institutions to
8 observe such instructions or examinations.

9 (2) It shall be the duty of persons appointed under subsection (1) to
10 report to the Council on the sufficiency or otherwise of the instructions given to
11 persons attending approved courses of training at institutions visited by them.

12 *Signatory to Certificates*

13 The President and Registrar shall be the joint signatory to certificates awarded
14 by the Institute.

15 PART IV - FINANCIAL PROVISIONS

Fund of the
Institute

16 6. There is established for the Institute a fund into which shall be paid
17 and credited:

18 (a) all fees, subscriptions and other monies due to the Institute;

19 (b) Gifts, loans, grant-in-aid, testamentary dispositions, endowments,
20 contributions from philanthropic organizations etc.;

21 (c) returns on investments made by the Institute and Funds of the
22 Institute; and

23 (d) all other assets or monies that may from time to time accrue to the
24 Institute.

Investment of
the funds of the
Institute

25 (1) The Council may invest the funds of the Institute in accordance
26 with the Security and Investment Act.

27 (2) The Institute may from time to time apply the proceeds of the
28 funds of the Institute to:

29 (a) The general administration of the Institute;

30 (b) The payment of the emoluments, fees and other entitlements of

1 members of the council;

2 (c) The payment of salaries, allowances or other remunerations and
3 benefits payable to the officers and other employees of the Institute;

4 (d) The development and maintenance of any property vested in or
5 owned by the Institute; and

6 (e). Such other activities that will promote the growth of the
7 Institute or are connected with its functions.

8 8. The Council shall keep proper accounts for the institute in Expenditure and
9 respect to each financial year and proper records in relation to such audited account
10 accounts, and shall cause the accounts to be audited by a firm of auditors of the Institute
11 approved by the Council and the result for the audit published within six
12 months from the end of the financial year to which the accounts relate.

13 PART V - PROFESSIONAL DISCIPLINE

14 (1) There shall be a body to be known as the Chartered Institute of Establishment
15 Development Studies and Administration Disciplinary Tribunal charged (in of Disciplinary
16 this Bill referred to as "the Tribunal") charged with the duty of considering Tribunal and
17 and determine any case referred to it by the Investigating Panel established Investigating Panel
18 under subsection (3) of this section, and any other case which the Tribunal
19 take cognizance under of this Bill.

20 (2) The Tribunal shall consist of a Chairman and six other members
21 who shall be appointed by the Council from among members of the Institute
22 who are not members of the Council.

23 (3) There shall be a body to be known as the Chartered Institute of
24 Development Studies and Administration investigating Panel (in this Bill
25 referred to "the Panel") charged with the duties of:

26 (a) conducting a preliminary investigation into any case where it is
27 alleged that a member has committed an act of professional misconduct, or
28 should for any other reason be the subject of proceedings before the
29 Tribunal; and

30 (b) deciding whether the case shall be referred to the Tribunal after

1 affording such a member an opportunity of being heard either personally or by a
2 legal practitioner of his own choice in Nigeria.

3 (4) The Council shall appoint members of the Panel from members of
4 the Institute who are not members of the Council or the Tribunal.

5 (5) A person shall not be appointed as a member of the Tribunal or of
6 the Panel unless such a person is a Chartered Member or Fellow of the Institute.

7 (6) The Provision of third Schedule to this Bill shall so far as they are
8 applicable to the Tribunal and Panel, respectively have effect with respect to
9 these bodies.

10 (7) The Council may, from time to time, make rules consistent with
11 this Bill as to acts, conducts or omissions which constitute professional
12 misconduct.

Penalties for
professional
misconduct

13 (1) Where:

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

16 (b) a person enrolled or registered under this Bill is convicted by any
17 court or tribunal in Nigeria or elsewhere having power to impose a term of
18 imprisonment for an offence (whether or not punishable with imprisonment)
19 which is in the opinion of the Tribunal is incompatible with the status of a
20 development studies and administrations professional;

21 (c) the Tribunal is satisfied that the name of any person has been
22 fraudulently enrolled or registered, he shall be guilty of an offence and shall on
23 conviction be liable to a term of imprisonment not exceeding five years.

24 (2) The Tribunal may, if it deem fit:

25 (a) give a directive reprimanding that person or ordering the Registrar
26 to strike his name off the relevant part of the register; or

27 (b) Defer or further defer its decision as to the giving of such directive
28 under this section until a subsequent meeting of the Tribunal but:

29 (i) no decision shall be deferred under this section for period
30 exceeding one year in the aggregate; and

1 (ii) no person shall be a member of the Tribunal for the purposes of
2 reaching a decision which has been differed or further differed unless he was
3 present as a member of the Tribunal when that decision was deferred.

4 (3) For the purpose of subsection (1) (b) of this section, a person
5 shall not be treated as convicted unless the conviction stands at a time when
6 no appeal or further appeal is pending or no application for extension of time
7 to appeal is brought in connection with the conviction.

8 (4) When the Tribunal gives a directive under subsection (2) of this
9 section, the Tribunal shall cause notice of the directive to be served on the
10 person to whom it relates.

11 (5) The person to whom a directive under subsection (2) of this
12 section relates may, at any time within 21 days from the date of service on
13 him of notice of the directives, appeal against the directives to the Federal
14 High court and the Tribunal may appear as respondent to the appeal and for
15 the purpose of enabling directives to be given as to the costs of the appeal
16 proceedings before the Federal High Court, the Tribunal shall be deemed to
17 be a party thereto whether or not it appeals on the hearing of the appeal.

18 (6) A directive on the Tribunal Under this section shall take effect
19 where:

20 (a) no appeal under this section is brought against the directive
21 within the time limited for appeal;

22 (b) Such an appeal is brought and is withdrawn or struck out for
23 want prosecution on the withdrawal or striking out of appeal;

24 (c) such appeal is brought and is not withdrawn or struck out, if and
25 when the appeal is dismissed, and shall not take effect except in accordance
26 with foregoing provisions of this subsection.

27 (7) A person whose name is struck of the register in pursuance of a
28 directive of the Tribunal under this section shall not be entitled to be
29 registered again except in pursuance of a direction on that behalf given by
30 the Federal High Court on the application of that person.

1 (8) A directive under this section for the striking off of a person's name
2 from the register may prohibit an application under this subsection by that
3 person until the expiration of such period from the date of the directive (and
4 where he has recently made such an application from the date of his last
5 application) as may be specified in the directive.

6 PART VI - MISCELLANEOUS

Offences

7 (1) If a person for the purpose of procuring the registration of any
8 name, qualification or other matter:

9 (a) Make a statement which he believes to be false in a material
10 particular; or

11 (b) Recklessly make a statement which is false in a material particular
12 is guilty of an offence.

13 (2) If, on or after the commencement date of this Bill, a person who is
14 not a member of the INSTITUTE practices or holds himself out as a member in
15 expectation of a reward or takes or uses any name, title, addition or description
16 implying that he is a member, he is guilty of an offence.

17 (3) If the Registrar or any other person employed by or on behalf of
18 the INSTITUTE willfully make any falsification in any matter relating to the
19 register, he is guilty of an offence.

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

21 (a) on summary conviction to a fine not exceeding N50,000;

22 (b) on conviction or indictment to a fine not exceeding N20,000 or to
23 imprisonment for a term not exceeding two years or to both such fines and
24 imprisonment.

Interpretation

25 7. In this Bill, unless the context otherwise requires:

26 "COUNCIL" means The Council established as expanding governing body of
27 the Institute under section 3 (1) of this Bill;

28 "DEVELOPMENT" means Act of improving by expanding or enlarging or
29 refining "STUDIES" mean the devotion of time and attention to acquiring
30 knowledge on an academic subject especially by means of books;

1 "ADMINISTRATION" a method of tending to or managing affairs of some
2 group of people;

3 "fees" includes annual subscription;

4 "INSTITUTE" means the Chartered Institute of Development Studies and
5 Administration of Nigeria established under section 1 (1) of this Bill;

6 "INVESTIGATION PANEL" means the Chartered Institute of
7 Development Studies and
8 Administration of Nigeria Investigation Panel established under section 4 of
9 this Bill;

10 "MEMBER" means a Chartered member of the Institute registered in all the
11 classes of membership;

12 "CHAIRMAN" means the overall head of the Council of the Institute;

13 "PRESIDENT" means the head of the Institute administration;

14 "TRIBUNAL" means the Chartered Institute of Development Studies and
15 Administration of Nigeria Tribunal established under section 4 of this Bill.

16 8. This Bill may be cited as the Chartered Institute of Development Citation
17 Studies and Administration of Nigeria (Establishment) Bill, 2020.

18 SCHEDULES

19 FIRST SCHEDULE

20 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

21 *Qualification and tenure of office of members*

22 (1) Subject to the provisions of this paragraph, a member of the
23 Council shall hold for a period of two years beginning from the date of his
24 appointment or election.

25 (2) Any member of this Institute who ceases to be a member thereof
26 shall if he is also a member of the council, ceases to hold office on the
27 Council.

28 (3) Any elected member of the Council may by notice in writing
29 under his hand writing to address to the President of the Institute resign his
30 office.

1 (4) If for any reason there is a vacation of office by a member and:

2 (a) Such member was appointed by the Minister, the Minister shall
3 appoint another fit and proper person to replace such member; or

4 (b) If such member was elected, the Council may, if the time between
5 the unexpired portion of the term of office and the annual general meeting of
6 the Institute appears to warrant the filling of the vacancy, co-opt some fit and
7 proper persons.

8 *Power of the council, etc.*

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

11 *Orders of the Institution*

12 3.-(1) Subject to the provision of this Bill, the council may in the name
13 of the Institute make standing orders regulating the proceedings of the
14 INSTITUTE, the Council or any of their committees.

15 (2) Standing orders shall provide for decisions to be taken by a
16 majority of the members and in the event of equality of votes, the President of
17 the Institute or the Vice President as the case may be has a second or casting
18 vote.

19 (3) Standing orders made for committees shall provide for
20 committees to report back to the Council on any matter referred to it by the
21 Council.

22 (4) The quorum of the Council shall be 8 and the quorum of a
23 committee of the council shall be determined by the council.

24 *Meetings of the Institute*

25 4-(1) The council shall convene an annual general meeting of the
26 Institute on the 30th day of September every year or such other day as the
27 Council may, from time to time, appoint so that if the meeting is not held within
28 one year after the previous meeting not more than 15 months shall elapse
29 between the respective dates of the two meetings. The President of the Institute
30 shall oversee a special meeting of the Institute.

1 (2) A special meeting of the Institute may be convened by the
2 council at any time, if less than 20 members of the Institute are informed by
3 notice in writing addressed to the Registrar of the Institute setting out the
4 objects of the proposed meetings, the chairman of the council shall oversee a
5 special meeting of the Institute.

6 *Meetings of the Council*

7 5.-(1) Subject to the provisions of any standing order, the Council
8 shall meet whenever it is summoned by the President, and if the President is
9 required to do so by notice in writing given to him/her by not less than seven
10 other members, he shall summon a meeting of the council to be held within
11 seven days from the day on which the notice is given.

12 (2) At any meeting of the Council, the President or in his absence,
13 the Vice-President in their order (first second) shall preside, but if both are
14 absent, the members present at the meeting shall appoint one of them to
15 preside at the meeting.

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

21 (4) Notwithstanding anything in the foregoing provisions of this
22 paragraph, the first meeting of the council shall be summoned by the
23 Minister who may give such directions as he thinks fit as to the procedure
24 which shall be followed at the meeting.

25 *Meetings of the Committees*

26 6.-(1) The council may appoint one or more committees to carry
27 out on Behalf of the Institute or the Council, such function as the Council
28 may determine.

29 (2) A committee appointed under this paragraph shall consist of the
30 number of persons determined by the Council of whom not more than one-

1 third may be persons who are not members of the Council and a person other
2 than a member of the Council shall hold Office on the committee in accordance
3 with the terms of the instrument by which he is appointed.

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

6 *Miscellaneous*

7 7.-(1) The fixing of the common seal of the Institute shall be
8 authenticated by the signature of the President or any other member of the
9 Council authorized generally or specially by the Institute to act for that
10 purpose.

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

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

19 8. The validity of any proceeding of the Institute or the Council or of a
20 committee of the Council shall not be adversely affected by any vacancy in
21 membership, or by any defect in the appointment of a member of the Institute
22 or of the councilor of a person to serve on the committee or by reason that the
23 person is not entitled to do so look part in the proceedings.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish Chartered Institute Development Studies and Administration of Nigeria charged with the responsibility to advancing the study training and determine the standard of knowledge and skills to be attained by persons seeking to become registered members of the Institute.