

## **CHARTERED INSTITUTE OF ADMINISTRATION ACT**

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**An Act to establish the Chartered Institute of Administration and for matters connected therewith.**

[1992 No. 103.]

[Commencement. ]

[30th December, 1992]

PART I

*Establishment, etc., of the Chartered Institute of Administration*

**1. Establishment of the Chartered Institute of Administration**

(1) There is hereby established a body to be known as the Chartered Institute of Administration

(in this Act referred to as "the Institute") which shall have the objective of-

(a) promoting the techniques of management administration; and

(b) the art and science of administration.

(2) The Institute shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

(3) Subject to this Act, the Institute shall have the control and supervision of the profession of administration (in this Act referred to as "the profession").

## **2. Functions of the Institute**

(1) Without prejudice to section 1 of this Act, it shall be the duty of the Institute to-

(a) determine what standards of knowledge and skill are to be attained by persons seeking to become members of the profession and improving those standards from time to time as circumstances may permit;

(b) secure, in accordance with the provisions of this Act, the establishment and maintenance of a register of fellows, members, associates, honorary fellows and retired members of the profession and the publication, from time to time, of lists of those persons;

(c) encourage, advance, disseminate knowledge, education, practical training, and research into the profession;

(d) conduct examinations in the profession and award certificates or diplomas to successful candidates as appropriate; and for such purposes the Institute shall prescribe fees to be paid in respect thereof; and

(e) perform through the Council established by section 5 of this Act the functions conferred on it by this Act.

(2) Subject to the provisions of this Act, persons admitted to membership of the Institute shall be registered as members of the profession in the category of-

(i) fellows; or

(ii) members; or

(iii) associates; or

(iv) honorary members;

(v) honorary fellows; and

(vi) retired members.

(3) A person accorded by the Council established under this Act status as a Chartered Member of the Institute of Administration shall be entitled to the use of that name and shall be registered as-

(a) a fellow if-

(i) he is least thirty years of age and has had not less than fifteen years' relevant professional working experience;

(ii) he is the holder of a certificate of the examination of the Institute and approved professional qualification;

(iii) he is otherwise considered by the Council to be a fit and proper person to be so enrolled;

(b) a member if-

(i) he is at least twenty five years of age and has had not less than ten years' relevant professional working experience;

(ii) he is the holder of a certificate of the examination of the Institute and approved academic professional qualification;  
and

(iii) he is otherwise considered by the Council to be a fit and proper person to be so registered;

(c) an associate if-

(i) he is at least twenty-one years of age and has had not less than six years' relevant professional working experience;

(ii) he is otherwise considered by the Council to be a fit and proper person to be so registered.

(4) Honorary fellows and honorary members of the Institute shall be persons admitted as such by resolution of the Council.

(5) A retired member shall be a fellow, member or an associate who, having attained the age of sixty years and retired from active professional practice, has been admitted as such by a resolution of the Council.

(6) The designatory letters of the-

(a) fellows of the Chartered Institute of Administration shall be "FCLA";

(b) members of the Chartered Institute of Administration shall be "MCLA";

(c) associate of the Chartered Institute of Administration shall be "ACLA".

### **3. Election of President and Vice-President of the Institute**

(1) There shall be a President and a Vice-President of the Institute, who shall be fellows of the Institute, to be elected by the Council and shall hold office each for a term of three years from the date of election.

(2) The President shall be the chairman at meetings of the Institute, so however that, in the event of the death, incapacity or inability, for any reason of the President, the Vice-President shall act in his stead for the unexpired portion of the term of the office, or as the case may require, and references in this Act to the President shall be construed accordingly.

(3) The President and the Vice-president shall respectively be chairman and vice-chairman of the Council established by section 4 of this Act.

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

#### **4. Governing Council**

(1) There shall be, as the governing body of the Institute, a Council charged with responsibility for the administration and general management of the Institute.

(2) The Council shall consist of the following members, being fellows, members, and associate members appointed, or elected as the case may be, as follows, that is-

(a) the President of the Institute, who shall be the chairman;

(b) the Vice-President of the Institute, who shall be the vice-chairman;

(c) the Director, National Board for Technical Education;

(d) four persons to be appointed by the Minister;

(e) fifteen persons to be elected by the Institute; and

(f) past Presidents of the Institute who shall be entitled to serve on the Council for a maximum period of three years from the expiration of their terms of office as President.

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

[First Schedule.]

(4) Regulations made by the Council with the approval of the Minister may provide for an increase or reduction in the membership of the Council and may make such amendments of subsection (2) of this section and the First Schedule to this Act as the Minister considers expedient for the purposes of or in consequence of the increase or reduction.

PART II

*Financial provisions*

**5. Fund of the Council**

(1) There shall be established for the Institute a fund which shall be managed and controlled by the Council.

(2) There shall be paid and credited into the fund established pursuant to subsection (1) of this section-

(a) all fees and other moneys payable to the Council in pursuance of this Act;

(b) such moneys as may be provided by the Federal Government to the Institute by way of grant or loan or otherwise; and

[1968 No. 51.]

(c) such moneys as are held by the Institute of Executive Secretaries and Administrators of Nigeria incorporated under the Companies Act 1968 (in this Act referred to as "the Incorporated Institute") on its ceasing to exist as provided for in this Act.

(3) There shall be paid out of the fund established pursuant to subsection (1) of this section-

(a) all expenditure incurred by the Council in the discharge of its functions under this Act;

(b) the remuneration and allowances of the Registrar and other employees of the Institute; and

(c) such reasonable travelling and subsistence allowances of members of the Council in respect of the time spent on the duties of the Institute as the Council may, with the approval of the Minister, determine.

(4) The Council may invest moneys in the fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.

(5) The Council may, from time to time, borrow money for the purposes of the Institute and any interest payable on moneys so borrowed shall be paid out of the fund.

(6) The Council shall keep proper accounts on behalf of the Institute in respect of each year and proper records in relation to those accounts; and the Council shall cause the accounts to be audited by an auditor and when audited the accounts shall be submitted to the members of the Institute for approval by them at a meeting of the Institute.

(7) The auditor, appointed for the purposes of this section, shall not be a member of the Council.

(8) The Council shall prepare and submit to the Minister not later than twelve months after its establishment and once in each year thereafter, a report on the activities of the Institute during the least preceding year and shall include in the report a copy of the audited accounts of the Institute for that year and of the auditor's report thereon.

### PART III

#### *Transfer to Institute of certain assets and liabilities*

#### **6. Transfer to the Institute of certain assets and liabilities**

(1) On the commencement of this Act-

(a) all assets and liabilities held or incurred immediately before that day by or on behalf of the Incorporated Institute shall, by virtue of this Act and without any further assurance, vest in the Institute and be held by it for the purposes of the Institute;

(b) the Incorporated Institute shall cease to exist; and

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

(2) The provisions of the Second Schedule to this Act shall have effect with respect to matters arising from the transfer by this section to the Institute of the property of the Incorporated Institute and with respect to the other matters mentioned therein.

[Second Schedule.]

### PART IV

#### *The Registrar and the register*

#### **7. Registrar and other staff of the Institute**

(1) It shall be the duty of the Council to appoint a fit and proper person, who shall be a member of the Institute with not less than ten years' post-call experience, to be the Registrar for the purposes of this Act, and such other person as the Institute may, from time to time, think necessary.

(2) The Registrar shall, in addition to his other functions under this Act, be the Secretary to the Council and shall on the instructions of the President of the Council or of any committee thereof, convene meetings of the Council or of any committee thereof and keep minutes of the proceedings at all such meetings as the case may be.

(3) The Council may, whenever the Registrar is absent or for any other reason unable to discharge the functions of his office, appoint an acting Registrar who shall have the same qualifications as in subsection (1) of this section to discharge those functions.

(4) The Registrar and other staff of the Institute shall hold office on such conditions as the Council may determine.

## **8. Registration of members**

(1) It shall be the duty of the Registrar to prepare and maintain, in accordance with the rules made by the Council, a register of names, addresses and approved qualification and of such other particulars as may be specified in the rules, of all persons who are entitled in accordance with the provisions of this Act to be registered as members of the profession in the category of fellows, members, associates, honorary members, honorary fellows and retired members and, who, in the manner prescribed by such rules, apply to be so registered.

(2) The register shall consist of six parts of which-

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

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

(c) the third part shall be in respect of associate members;

(d) the fourth part shall be in respect of honorary members;

(e) the fifth part shall be in respect of honorary fellows; and

(f) the sixth part shall be in respect of retired members;

(3) Subject to the following provisions of this section, the Council may make rules with respect to the form and keeping of the register and the making of entries therein and in particular-

(a) regulating the making of applications for registration, and providing for the evidence to be produced in support of such applications;

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

(c) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names in the register, and authorising the Registrar to refuse to enter a name on the register until any fees specified for the entry have been paid;

(d) specifying anything failing to be specified under the foregoing provisions of this section.

(4) Any rules made for the purposes of paragraph (c) of subsection (3) of this section, shall not come into force until they are confirmed at a special meeting of the Institute.

(5) It shall be the duty of the Registrar-

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

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

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

(6) If the Registrar-

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

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

the Registrar may remove the particulars relating to the person in question from the register: so however that the Council may for any reason which seems to it sufficient direct the Registrar to restore to the appropriate part of the register any particulars removed therefrom under this subsection.

## **9. Publication of register and lists of corrections**

(1) It shall be the duty of the Registrar-

(a) to cause the register to be printed, published and put out on sale to members of the public not later than two years from the coming into force of this Act;

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

(c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Institute; and

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

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

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

## PART V

### *Registration*

#### **10. Registration of chartered members of the profession**

(1) Subject to section 11 of this Act and to rules made under section 8 of this Act, a person shall be entitled to be registered as a "member" of the profession if-

(a) he passes the qualifying examination for registration recognised or conducted by the Council under this Act and completes the practical training prescribed; or

(b) he holds a qualification granted and for the time being accepted by the Institute and satisfies the Council that he has sufficient practical experience as a member of the profession.

(2) An applicant for registration under this Act shall, in addition to evidence of qualification,

satisfy the Council that-

(a) he is of good character;

(b) he had attained the age of 21 years; and

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

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

(4) Any entry directed to be made in the register under subsection (3) of this section, shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council, signified in writing in that behalf.

(5) The Council shall, from time to time, publish in the Federal Gazette particulars of qualifications for the time being acceptable for registration by the Institute.

#### **11. Approval of qualifications, etc.**

(1) The Council may approve any institution for the purposes of this Act and may for those purposes approve-

(a) any course of training at any approved institution which is intended for persons seeking to become or are already administrators and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for admission into the Institute;

(b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination, indicating in the opinion of the Council that the candidates have sufficient knowledge and skill for the practice of the profession.

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

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

(b) afford each such person an opportunity of making to the Council representations with regard to the proposal; and

(c) take into consideration any representation made as respects the proposal in pursuance of paragraph (b) of this subsection.

(3) As respects any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration immediately before the approval was withdrawn.

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

(a) as soon as may be, publish a copy of every such instrument in the Federal *Gazette*; and

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

**12. Supervision of instruction, etc.**

(1) It shall be the duty of the members of the Council to keep themselves informed of the nature of-

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

(b) the examination as a result of which approved qualifications are granted,

and for the purposes of performing that duty the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or observe such examinations.

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

(a) the sufficiency or otherwise of the instructions given to persons attending approved courses of training at institutions visited by him;

(b) the adequacy or otherwise of the examinations conducted at any institution in-spected by him; and

(c) any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report,

but no person shall interfere with the giving of any instruction or the holding of any examination.

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

**13. Supervision of examination, etc.**

(1) Notwithstanding the provisions of section 12 of this Act, it shall be the duty of the National Board for Technical Education (in this Act referred to as "the Board") to supervise the Institute's examinations and for the purpose of performing that duty, the Board may appoint its official to review the Institute's examination question papers and student's answer scripts before the examination is released.

(2) The Director of the Board shall be a joint signatory to a certificate awarded by the Institute.

**14. Power to grant diplomas, etc.**

The Council may arrange for the grant of diploma certificates and awards and for the participation in any scheme for the grant thereof jointly with other professional bodies.

## PART VI

### *Professional discipline*

#### **15. Establishment of Disciplinary Tribunal and Investigating Panel**

(1) There shall be a Tribunal to be known as the Chartered Institute of Administration Disciplinary Tribunal (in this Act referred to as "the Tribunal"), which shall be charged with the duty of considering and determining any case referred to it by the Investigating Panel established under subsection (3) of this section, and any other case of which the Tribunal has cognisance under the following provisions of this Act.

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

(3) There shall be a body, to be known as the Chartered Institute of Administration Investigating Panel (in this Act referred to as "the Panel") which shall be charged with the duty of-

(a) conducting a preliminary investigation into any case where it is alleged that a member of the profession has misbehaved in his capacity as an administrator or should for any other reason be the subject of proceedings before the Tribunal; and

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

(4) The Panel shall be appointed by the Council and shall consist of four members of the Council and one member who is not a member of the Council.

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

[Third Schedule.]

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

#### **16. Penalties for unprofessional conduct, etc.**

(1) Where-

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

(b) a person registered under this Act is convicted in Nigeria or elsewhere by any court or Tribunal having power to award punishment for an offence (whether or not such offence is punishable with imprisonment) which in the opinion of the Tribunal is incompatible with the status of a member of the profession; or

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

the Tribunal may, if it thinks fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the register.

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

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

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

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

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

(7) The person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of the notice of direction, appeal against the direction to the Federal High Court and the Tribunal may appear as respondent to the appeal and for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the Federal High Court, the Tribunal shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

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

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

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

(c) such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed,

and shall not take effect except in accordance with the foregoing provisions of this subsection.

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

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

## PART VII

### *Miscellaneous and general*

#### **17. Application of Act to certain persons**

(1) Any person not being a member of the Incorporated Institute who, but for this Act, would have been qualified to apply for and obtain membership of the Incorporated Institute may, within the period of three months from the commencement of this Act, apply for membership of the Institute in such a manner as may be prescribed by the Council.

(2) Where an application under subsection (1) of this section is approved by the Council, the applicant shall be registered, as the case may be, according to his qualification.

#### **18. When persons are deemed to practise as chartered members of the profession**

(1) Subject to subsection (2) of this section, a person shall be deemed to practise as a chartered member of the profession if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any person he-

(a) engages himself in the practice of the profession or holds himself out to the public as a member of the profession; or

(b) renders any other service or assistance in or about matters of principle or detail relating to the profession;

(c) renders any other service which may by regulations made by the Council, with the approval of the Minister, be designated as service constituting practice as a chartered member of the profession.

(2) Nothing in this section shall be construed so as to apply to persons who, while in the employment of any government, are required under the terms or in the course of such employment, to perform the duties or any of the duties of the profession.

#### **19. Rules as to articles, etc.**

(1) The Council may make rules for-

- (a) the training with registered members of the profession of suitable persons in administrative methods; and
  - (b) the supervision and regulation of the engagement, training and transfer of such person
- (2) The Council may also make rules-
- (a) prescribing the amount and date for payment of the annual subscription and for such purpose, different amounts may be prescribed by the rules according to whether the member of the Institute, is a fellow, member, associate honorary member, honorary fellow or retired member;
  - (b) prescribing the form of license to practice to be issued annually or, if the Council thinks fit, by endorsement on an existing license;
  - (c) restricting the right to practise as a chartered member of the profession in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules;
  - (d) restricting the right to practise as a member of the profession if the qualification granted outside Nigeria does not entitle the holder to practise as a member of the profession; and
  - (e) prescribing the period of practical training in the office of a chartered member of the profession in practice to be completed before a person qualifies for a license to practise as a member of the profession.
- (3) Rules when made shall, if the chairman of the Council so directs, be published in the *Gazette*.

**20. Provision of library facilities, etc.**

The Institute shall-

- (a) provide and maintain a library comprising books and publications for the promotion and advancement of knowledge of the art and science of administration, and such other books and publications as the Council may think necessary for the purpose;
- (b) encourage research into industrial administration in such area of services as-
  - (i) plant location design, layout equipment and maintenance;
  - (ii) materials, products planning and control;
  - (iii) product development;
  - (iv) output or sales determination;

- (v) organisation of materials and production control;
  - (vi) sourcing of goods and materials;
  - (vii) movement and distribution of goods and materials;
  - (viii) profit appraisal and organisation;
  - (ix) work study and measurement;
  - (x) financial and general administration of materials, goods and services;
  - (xi) office services administration,
- and such other areas of study as the Council may deem appropriate.

#### **21. Powers of the Minister to give directives to the Council**

The Minister may give to the Council directives of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directives.

#### **22. Regulations**

(1) Any regulations, made under this Act, shall be published in the Federal *Gazette* as soon as may be after they are made; and a copy of any such regulations shall be sent to the Minister not later than 7 days before they are so published.

(2) Rules made for the purposes of this Act, shall be subject to confirmation by the Institute at its next general meeting or at any special meeting of the Institute convened for the purpose, and if then annulled, shall cease to have effect on the day of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rules.

#### **23. Offences and penalties**

(1) Any person who, for the purpose of procuring the registration of any name, qualification or other matter-

(a) makes a statement which he believes to be false in a material particular; or

(b) recklessly makes a statement which is false in a material particular,

commits an offence.

(2) If, on or after the coming into force of this Act, any person who, not being a member of the Institute, practises or holds himself out to practise as a member of the profession for or in expectation of reward or takes or uses any name, title, addition or description implying that he is in practice as a member of the profession, he commits an offence.

(3) In the case of a person falling within section 17 of this Act-

(a) the provision of subsection (2) of this section shall not apply in respect of anything done by him during the period of three months mentioned in that section; and

(b) if within that period he duly applies for membership of the Institute, then unless within that period he is notified that his application has not been approved, the provision of subsection (2) of this section shall not apply in respect of anything done by him between the end of that period and the date on which he is registered or is notified as aforesaid.

(4) If the Registrar or any other person employed by or on behalf of the Institute wilfully makes any falsification in any matter relating to the register, he commits an offence.

(5) A person guilty of an offence under this section is liable-

(a) on summary conviction, to a fine not exceeding ₦1,000; or

(b) on conviction on indictment, to a fine not exceeding ₦5,000 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

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

## **24. Interpretation**

In this Act, unless the context otherwise requires-

**"Board"** means the National Board for Technical Education established under the National Board for Technical Education Act;

[Cap. N9.]

**"Council"** means the Council established as the governing body of the Institute under section 4 of this Act;

**"fees"** includes annual subscriptions;

**"Incorporated Institute"** means the Institute of Executive Secretaries and Administration of Nigeria incorporated under the Companies Act, 1968;

[1968 No. 51.]

**"Institute"** means the Chartered Institute of Administration established under section 1 of this Act;

**"member of the Institute"** means a registered fellow, member, associate, honorary member, honorary fellow or retired member and "membership of the Institute" shall be construed accordingly;

**"Minister"** means the Minister charged with responsibility for matters relating to education;

**"Panel"** has the meaning assigned to it by section 15 of this Act;

**"President"** and **"Vice-President"** mean respectively the office holders under those names in the Institute;

**"profession"** means the profession of administration;

**"register"** means the register maintained in pursuance of section 6 of this Act; and

**"Tribunal"** has the meaning assigned to it by section 15 of this Act.

## **25. Short title**

This Act may be cited as the Chartered Institute of Administration Act.

## SCHEDULES

### FIRST SCHEDULE

*Supplementary provisions relating to the Council, qualifications and tenure of office of members*

[Section 4 (3).]

**1.** (1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of two years beginning with the date of his appointment or election.

(2) In the case of a person who is a member by virtue of having been President of the Institute, he shall hold office for a period of five years from the date of his having ceased to be President of the Institute.

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

(4) Any elected member may, by notice in writing under his hand addressed to the President of the Institute, resign his office, and any appointed member may, with the consent of the Minister, in the same manner resign his office.

(5) A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible again to become a member of the Council and any appointed member may be re-appointed.

(6) Members of the Council shall at their next meeting before the general meeting of the Institute arrange for the five members of the Council appointed or elected and longest in office to retire at that annual meeting.

(7) Elections to the Council shall be held in such manner as may be prescribed by rules made by the Council, and until so prescribed, they shall be decided by secret ballot.

(8) If for any reason there is a vacation of office by a member and-

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

(b) such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit and proper person for such time as aforesaid.

*Powers of Council, etc.*

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

**3.** (1) Subject to the provisions of this Act, the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute, the Council or any of their committees.

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

(3) Standing orders made for a committee shall provide that the committee reports back to the Council on any matter referred to it by the Council.

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

*Meeting of the Institute*

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

(2) A special meeting of the Institute may be convened by the Council at any time; and if not less than twenty members of the Institute require it by notice in writing addressed to the Registrar of the Institute setting out the objects of the proposed meeting, the chairman of the Council shall convene a special meeting of the Institute.

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

*Meeting of the Council*

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

(2) At any meeting of the Council, the chairman or in his absence, the vice-chairman shall preside, but if both are absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

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

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

*Committees*

6. (1) The Council may appoint one or more committees to carry out on behalf of the Institute or of the Council, such functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, of whom not more than one third shall be persons who are not members and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

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

*Miscellaneous*

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

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

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

8. The validity of any proceedings of the Institute or the Council or of a committee of the Council shall not be adversely affected by any vacancy in membership, or by any defect in the appointment of a member of the Institute or of the Council or of a person to serve on the committee or by reason that a person not entitled to do so took part in the proceedings.

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

SECOND SCHEDULE

[Section 6 (2).]

*Transitional Provisions as to assets and liabilities*

*Transfer of assets and liabilities*

1. (1) Every agreement to which the Incorporated Institute was a party immediately before the commencement of this Act, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by these subparagraphs, have effect from the commencement of this Act so far as it relates to assets and liabilities transferred by this Act to the Institute, as if-

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

(b) for any reference (however worded and whether expressed or implied) to the Incorporated

Institute, there were substituted in respect of anything falling to be done on or after the commencement of this Act a reference to the Institute;

(c) for any reference however worded to a member or members of the Council of the Incorporated Institute or an officer of the Incorporated Institute, there were substituted, in respect of anything falling to be done on or after the commencement of this Act, a reference to a member or members of the Council under this Act.

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

(3) Without prejudice to the generality of the foregoing provisions of this Schedule, where, by the operation of section 6 of this Act, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the commencement of this Act, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have if it had at all times been a right, liability or obligation of the Institute.

(4) Any legal proceedings or application to any authority pending on the commencement of this Act by or against the Incorporated Institute and relating to assets or liabilities transferred by this Act to the Institute may be continued on or after that day or against the Institute.

**2.** On the commencement of this Act, any person holding any paid appointment in the Incorporated Institute shall hold a corresponding appointment in the Institute on the same terms and conditions as to tenure and otherwise but shall not be entitled to receive remuneration both from the Incorporated Institute and from the Institute in respect of the same period of service.

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

**4.** All regulations, rules and similar instruments made for the purposes of the Incorporated Institute and in force immediately before the coming into force of this Act shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, have effect with any necessary modification as if duly made for the corresponding purpose of the Institute.

#### THIRD SCHEDULE

[Section 7. Section 15 (5).]

*Supplementary provisions relating to the Disciplinary Tribunal and Investigating Panel of the Tribunal*

1. The quorum of the Tribunal shall be four of whom at least two shall be members of the profession.
  
2. (1) The Attorney-General of the Federation may make rules as to the selection of members of the Tribunal for the purposes of any proceeding and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.  
  
(2) The rules shall in particular provide-
  - (a) for securing that notice of the proceedings shall be given at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
  
  - (b) for determining who in addition to the person aforesaid, shall be party to the proceedings;
  
  - (c) for securing that any party to the proceedings shall, if so required be entitled to be heard by the Tribunal;
  
  - (d) for enabling any party to the proceedings to be represented by a legal practitioner;
  
  - (e) subject to the provisions of section 16 (7) of this Act, as to the costs of proceedings before the Tribunal;
  
  - (f) for requiring in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates;
  
  - (g) for publishing in the *Gazette* of notice of any direction of the Tribunal which has taken effect providing that a person's name shall be struck off a register.
  
- (3) For the purposes of any proceedings before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the Federal High Court writs of *subpoena ad testificandum* and *duces tecum*; but no person appearing before the Tribunal shall be compelled-
  - (a) to make any statement before the Tribunal tending to incriminate himself; or
  
  - (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action.
  
3. (1) For the purpose of advising the Tribunal on questions of law arising in the proceedings before it, there shall in all such proceedings be an assessor to the Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than ten years' standing.

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

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

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

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

#### *The Panel*

**4.** The quorum of the Panel shall be three.

**5.** (1) The Panel may, at any of its meetings attended by not less than five members of the Panel, make standing orders with respect to the Panel.

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

#### *Miscellaneous*

**6.** (1) A person ceasing to be a member of the Tribunal or the Panel shall be eligible for re-appointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the Tribunal and Panel; but no person who acted as a member of the Panel with respect to any case shall act as a member of the Tribunal with respect to that case.

**8.** The Tribunal or the Panel may act notwithstanding any vacancy in its membership; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to paragraph 7 (2) of this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

**9.** Any document authorised or required by virtue of this Act to be served on the Tribunal or the Panel shall be served on the Registrar appointed in pursuance of section 7 of this Act.

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

**SUBSIDIARY LEGISLATION**

*List of Subsidiary Legislation*

1. Chartered Institute of Administration Regulations.

**CHARTERED INSTITUTE OF ADMINISTRATION REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

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2. Number of members.
3. Membership.
4. Qualifications for membership.
5. Compliance with regulations, etc.
6. Issue of practising certificate.
7. Entrance fees and subscriptions.
8. Cessation of membership on death.
9. Resignation of membership.
10. Bankruptcy.
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**CHARTERED INSTITUTE OF ADMINISTRATION REGULATIONS**

[S.1. 5 of 1997.]

under section 22

[Commencement. ]

[24th April, 1997]

**ORDER I**

*Citation, application, etc.*

*Membership*

**1. Applications for membership**

Application for admission to membership of the Chartered Institute of Administration (in these Regulations referred to as "the Institute") shall be made to the Council on the appropriate form accompanied by such other information as the Council may, from time to time, determine and the Council shall have full discretion (subject to the Regulations made thereunder) to determine the admission of an applicant, and no applicant shall be admitted as a member unless he has first satisfied the Council as to his professional status.

**2. Number of members**

The Institute shall consist of an unlimited number of members.

**3. Membership**

The Institute shall constitute the present members and such other persons as may be admitted to membership upon the terms and conditions contained in these Regulations.

**4. Qualifications for membership**

No person shall be eligible for admission as a member of the Institute unless-

(a) he is a member of a professional administration body as may, from time to time, be approved by the Council; or

(b) he is a graduate in administration of any Nigerian university or such other approved overseas universities with three years' post-qualification experience, inclusive of the National Youth Service Corps, and the degree was obtained not later than June 1975; or

(c) as at the date of application, he is the holder of a position as a Senior Administrative Officer in either the public service of the Federation or a State or in any Extra-Ministerial Department or in the private sector of the economy or is self-employed as a practising administrator and is a fit and proper person to be a member; or

(d) he passes the Institute's qualifying examination for membership conducted by the Council and completes the period of practical experience that may be prescribed from time to time; or

(e) he is a member of any other recognised chartered institute of administration anywhere in the world and shall, at the discretion of the Council, be eligible for direct admission to membership of the Institute.

#### **5. Compliance with regulations, etc.**

A person shall, upon applying for admission, sign an undertaking that he shall, if admitted, and for as long as he is a member, duly observe the regulations and rules of the Institute for the time being in force, and he shall not use any of the professional designatory letters denoting membership of the Institute except while as a member of the Institute.

#### *Practising certificate*

#### **6. Issue of practicing certificate**

(1) A member of the Institute shall be entitled to engage in the public practice as a chartered certificate administrator only if he holds a valid practising certificate issued by the Council of the Institute.

(2) A member applying for a practising licence must supply sufficient evidence of his professional experience to satisfy the Council that he has appropriate experience to practice.

#### *Entrance fees and subscriptions*

#### **7. Entrance of fees subscription**

The fees and subscriptions payable by the members of the Institute shall be determined by the rules made by the Institute as amended from time to time, and the annual subscriptions shall be liable to be paid in advance.

#### *Cessation of membership*

#### **8. Cessation of membership on death**

Any person ceasing by death, or otherwise to be a member of the Institute, shall not, nor shall his representative, have any claim upon or interest in the funds of the Institute and the provisions of these Regulations shall be without prejudice to the rights of the Institute, at the time of his ceasing to be a member.

#### **9. Resignation of membership**

(1) A member of the Institute may resign his membership on giving notice to the Council, but shall remain liable to pay any subscription due from him as at the date of receipt of such notice.

(2) A member of the Institute shall ipso facto cease to be a member of the Institute in the event of his annual subscription or such other contribution to the Institute becoming payable, but shall nevertheless be liable to pay the amount of the annual subscriptions and such other arrears of subscription or other sums due by him to the Institute, and shall remain liable for the payment of the arrears for the period that his membership continued until the date when all such subscriptions, arrears, and other sums were fully paid.

(3) The Council shall have power, in special cases, to suspend the operation of the provisions of paragraph (2) of this regulation in the case of a person who has ceased to be a member under this regulation and the Council may, at its discretion, re-admit the person to membership upon such conditions as it may deem fit in each circumstance.

#### **10. Bankruptcy**

If a member of the Institute shall become bankrupt, or shall either individually or in partnership with a firm make or agree to make an assignment for the benefit of his creditors, or shall make any arrangement or composition with his creditors or shall take or attempt to take the benefit of any statutory provision for arrangement with his creditors, he shall cease to be a member, but at the discretion of the Council he may be reinstated with or without the payment of an entrance fee or membership subscription and the Council shall have the right to publish, in the Gazette or such newspaper or journals as it may elect, an announcement of the termination of his membership.

#### *General meetings*

#### **11. Annual general meeting**

An annual general meeting of the Institute shall be held subject to the provisions of the Decree.

#### **12. Extraordinary and general meetings**

The Council may convene an extraordinary general meeting and extraordinary general meetings may also be convened on such requisition by members of the Institute as may be provided by the Decree.

#### **13. Omission to give notice**

An omission to give notice of a meeting to, or the non-receipt of such notice by any member of the Institute, shall not invalidate any resolution passed or any proceedings of such meeting.

*Proceedings at general meetings*

**14. Special business**

All businesses of the Association which is transacted at an extraordinary general meeting and all that is transacted at an annual general meeting shall also be deemed special, with the exception of the consideration of the accounts and balance sheets and the reports of the Council and of the auditors, the nomination of members of the Council and of the officers retiring by rotation and fixing of the remunerations of the auditor.

**15. Quorum**

No business of the association shall be transacted at any general meeting unless a quorum of twenty members is present at the time when the meeting proceeds to business. The quorum at any extraordinary general meeting of the Institute shall be fifty.

**16. Adjournment or dissolution**

If within half an hour from the time appointed for the meeting, a quorum is not formed, the meeting, if convened on the requisition of members, shall be dissolved and in any other case it shall stand adjourned to the same day in the next week, at the same place or such other place as the President shall appoint, and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall for purposes of that meeting form a quorum.

**17. Unfinished business to be discussed**

(1) The President may, with the consent of the members of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

(2) When a meeting is adjourned pursuant to paragraph (1) of this regulation for ten days or more, notice of the meeting shall be given as in the case of an original meeting: Save as aforesaid it shall not be necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

**18. President of the Council to preside at meetings of the Institute**

(1) The President of the Institute shall preside at every general meeting of the Institute and if there be no such chairman, or if at any meeting he shall not be present within fifteen minutes after the time appointed for holding the meeting, or shall be unwilling to preside, the vice-president of the Institute

shall preside and in his absence a member of the Council nominated by the members present shall preside.

(2) Where no member of the Council is present to take the chair, the members present shall appoint one of their number to be the chairman.

#### **19. How resolution decided**

At all general meetings of the Institute a resolution put to the vote of the meeting shall be decided by a show of hands by a majority of the members present and voting, unless before or upon the declaration of the result of the show of hands a poll be demanded in writing by the President or by at least five members present in person and entitled to vote and unless a poll be so demanded a declaration by the President of the meeting that a resolution has been carried by a particular majority or lost or not carried by a particular majority shall be conclusive and an entry made to that effect in the minute book of the Institute, shall be conclusive evidence therefor, without proof of the number or proportion of the votes recorded in favour of or against such resolution.

#### **20. How poll to be taken**

If a poll is demanded in the manner specified in regulation 19 of these Regulations, it shall be taken at such time and place, and in such manner, as the President of the Institute shall direct and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

#### **21. No poll in certain cases**

No poll shall be demanded on the election of a President of a meeting or on any question of adjournment.

#### **22. Equality of votes**

In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the meeting at which the show of hands takes place or at which the poll is demanded, shall be entitled to a second or casting vote.

#### **23. Consequence of a demand of a poll**

The demand of a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a poll has been demanded.

#### *Vote of members*

#### **24. Votes of members**

Every member of the Institute whose subscription shall have been paid for the current year shall be entitled to one vote at every meeting of the Institute.

## **25. Members in arrears**

Save as herein expressly provided, no person shall at a general meeting of the Institute, other than a member duly registered and who has paid every subscription and such other sum (if any) which shall be due and payable to the Institute in respect of his membership, be entitled to be present or to vote on any question either personally or by proxy or as proxy for any other member.

## **26. Proxies**

On a poll, votes may be given either or by proxy and a proxy shall be a member of the Institute entitled to be present and liable to vote.

## **27. Instrument**

(1) The instrument appointing a proxy as provided in the Schedule to these Regulations shall be in writing under the hand of the appointer or his attorney duly authorised in writing.

(2) The instrument appointing a proxy and the power of attorney (if any) under which it is signed or a certified copy thereof shall be deposited at the office of the Registrar of the Institute, at least twenty-two hours before the time appointed for holding the meeting at which the person's name in such instrument proposes to vote, otherwise the person so named shall not be entitled to vote in respect thereof and the instrument appointing him shall be valid only for purposes of that meeting or its adjournment thereof.

## **28. Effect of vote by proxy**

A vote given in accordance with the term of an instrument of proxy shall be valid notwithstanding the previous death of the appointer or revocation of the proxy, provided that no intimation in writing of the death or revocation shall have been received during office hours at least before the time fixed for holding that meeting.

*Council of the Institute*

## **29. Constitution of the Council of the Institute**

(1) The Council of the Institute shall be deemed for all purposes to be the governing body of the Institute.

(2) The Council shall consist of the number of members specified in the Decree and shall be nominated by the Institute at an annual general meeting on the recommendation of the Council.

## **30. Power of appointing additional members of the Council**

The Council may, from time to time, and at any time, appoint any member of the Institute as a member of the Council, to fill a vacancy in the Council, provided that the prescribed minimum number shall not be exceeded and any member so appointed shall retain his office only until the next annual general meeting and shall be eligible for renomination.

### **31. Age limit for Council members**

No person shall be eligible to hold office as a member of the Council, unless he is 40 years old.

### **32. Disclosure of personal interest**

Any member of the Council or of a committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council, or a committee thereof, shall forthwith disclose his interest to the Council or the committee, as the case may be, and shall not vote on any question relating to such contract or arrangement.

### **33. Restriction of voting in Council**

No member of the Council shall be disqualified from acting as such only by reason of his being so interested but he shall not be eligible to vote at the meeting of the Council on any matter relating to any operation, undertaking, or business in which he is interested either individually or as a member of a partnership or as a director or officer of the body corporate or corporation and if he shall so vote his vote shall not be counted.

#### *Powers of the Council*

### **34. Powers of the Council**

(1) The business of the Institute shall be managed by the Council which may exercise all the powers of the Institute and do on behalf of the Institute all such acts as may be exercised and done by the Institute and as are by virtue of the Decree or these Regulations required to be so exercised:

Provided that it shall be done by the Council at a general meeting.

(2) No regulation made by the Council at a general meeting shall invalidate any prior act of the Council which would have been valid if such regulations had not been made.

### **35. Continuing members of the Council may act to fill vacancies or summon meetings**

Notwithstanding any vacancy in the Council, the continuing membership on the Council may at any time be reduced in number to less than the maximum number prescribed by or in accordance with these Regulations and it shall be lawful for such members to continue to act as members of the Council for the purpose of filling vacancies or of summoning a general meeting of the members, but not for any other purpose.

*Common seal*

**36. Affirming of common seal**

(1) The Institute shall have a common seal which shall be kept in the custody of the Registrar who shall produce it when it is required for use by the Institute.

(2) All legal matters required to be executed by the Institute shall be signed by the President and the Registrar and sealed with the common seal of the Institute.

(3) The common seal of the Institute shall not be affixed to any instrument except by authority of a resolution of the Council, and in the presence of at least two members of the Council and the Registrar, and the members and the Registrar shall sign every instrument to which the common seal shall be affixed in their presence and in favour of any purchaser or person *bona fide* dealing with the Institute and such signatures shall be conclusive of the fact that the common seal was properly affixed.

**37. How rules may be made or varied and the matter with which they may relate**

(1) The Council may, from time to time, make rules for carrying on the business of the Institute and may at any time at an annual general meeting vary any rules so made, and all rules so made and for the time being in force shall be binding on the members of the Institute and shall have full effect accordingly.

(2) The subject of the rules referred to in paragraph (1) of this regulation shall, among other things, include the matters set-out hereunder, that is-

(a) the annual or other subscriptions or payments to be payable by members of the Institute;

(b) the rights and privileges which shall be accorded to the members of the Institute;

(c) the qualifications, restrictions and conditions which shall be in accordance with the provisions of section 8 of the Decree;

(d) the qualifying initials and designation to be used by members of the Institute;

(e) the removal of members who, in the opinion of the Council, are no longer fit and proper persons to continue in membership of the Institute;

(f) committees connected with the management of the Institute, the Registrar and all the officers of the Institute including the auditors;

(g) branches or district centre committees;

(h) creation and maintenance of the fund of the Institute;

(i) arrangements with other institutes for reciprocal concession;

(j) the year book of the Institute, journals, publication of papers or books or such other papers as may be conducive to the welfare and advancement of the objectives of the Institute;

(k) the postal ballot for the purpose of nominating members of the Council and the procedure in connection therewith:

Provided that no rules shall be made pursuant to this regulation which would amount to an addition to or an alteration of these Regulations which may only lawfully be made at a special resolution of the Institute.

*The Registrar*

**38. The Registrar**

The Registrar shall hold office on such conditions as Council may determine in accordance with the provisions of the Decree. The termination of his appointment shall require a resolution passed by not less than ninety-five per cent of the members of the Council present and voting at a meeting of the Council at which not less than ninety-five per cent of the members of the Council shall be present.

*Disqualification of members of the Council*

**39. Vacation of office**

The office of a member of the Council shall become vacant if-

(a) a receiving order is made against him; or

(b) he makes any arrangement with his creditors; or

(c) he becomes a lunatic or is of unsound mind; or

(d) he ceases to be a member of the Institute; or

(e) by notice in writing to the Institute he resigns his office; or

(f) he ceases to hold office by virtue of any provisions of the Decree.

*Rotation of membership of the Council*

**40. One third of members of Council**

(1) At an annual general meeting of the institute, one third of the members of the Council for the time being or if their number is not a multiple of three, then the number nearest to but not exceeding one third, shall retire from office.

(2) A retiring member of the Council shall retain his office until the dissolution or adjournment of the meeting at which his successor shall be nominated or it is determined not to fill his place.

**41. Retirement by rotation**

(1) The members of the Council retiring shall be those who have been longest in office since their last nomination or appointment and as between members of equal seniority, the members to retire shall, in the absence of an agreement, be selected from among them by ballot.

(2) The length of time a member has been in office shall be computed from his last nomination or appointment.

A retiring member of the Council may be eligible for re-nomination.

**42. Re-nomination of retiring member**

A retiring member of the Council eligible for re-nomination shall, unless he shall have signified his desire to offer himself for re-nomination, be deemed to be nominated.

**43. Vacancies to be filled**

The Institute may, at the meeting at which any member of the Council retires in any manner whatsoever, fill the vacant office of the member by nominating another member thereto unless as such meeting it shall be determined to reduce the number of members of the Council.

**44. Notice to be given for re-nomination**

(1) No person, except as a member of the Council, retiring at the meeting or seeking re-nomination, and on the recommendation of the Council, shall be eligible for nomination to the Council except if notice in writing shall be given to the Registrar not less than one month before the day appointed for the meeting and the notice shall be required to be signed by ten members duly qualified to vote on such nomination, and also by notice in writing signed by the person nominated of his willingness to be nominated.

(2) No nomination shall be valid if the person nominated, or any of his nominators, is under any pecuniary liability to the Institute.

#### **45. Removal of members**

(1) In the event of any member of the Council failing to attend six consecutive meetings of the Council, of which he has been duly notified, the Council may, unless his absence was caused by illness (or other circumstances which in the opinion of the Council may cause his absence) resolve that he shall cease to be a member of the Council and the Institute may nominate another member to fill the vacancy thus created.

(2) The Institute may, by an ordinary resolution of which special notice shall have been given, remove any member of the Council before the expiration of his tenure of office, and may by an ordinary resolution appoint another member in his stead provided that any person so appointed shall retain his office for only such period as the member in whose place he was appointed would have held the same if he had not been removed.

#### *Proceedings of the Council*

#### **46. Meeting of Council and quorum and casting vote of President**

(1) The Council may meet together for the dispatch of its business, adjourn and otherwise regulate its meetings as it may think fit, and determine the quorum necessary for the transaction of its business and unless otherwise determined by the Council, the quorum at every meeting of the Council shall be seven.

(2) Questions arising at any meeting of the Council, shall be decided by a majority of votes and in the case of an equality of votes, the President shall have a second or casting vote.

#### **47. Seven days notice of meeting of Council required**

(1) Council meetings shall be called by the Registrar at any time at the request of the President or of seven members of the Council giving seven clear days' notice to the members of the Council.

(2) A member of the Council who is absent from Nigeria shall not be entitled to notice of a meeting.

#### **48. Nomination of President and Vice-President**

(1) The Council shall, from time to time, nominate one of their number to act as President and another as Vice-President both of whom shall hold office for three years after the date of election.

(2) The President or in his absence the Vice-President shall preside at all meetings of the Council and in their absence within thirty minutes after the time appointed for holding the meeting, the members of the Council present shall appoint one of their number to be the President for purposes of that meeting.

#### **49. Quorum competent to exercise all power of Council**

A meeting of the members of the Council for the time being at which a quorum is present shall be competent to exercise all the authority, powers and discretion or under the regulations of the Institute for the time being vested in the Council.

#### **50. Committee of the Council**

(1) The Council may appoint committees in accordance with the rules for the time being in force, and subject to any rules, the Council may delegate any of its functions to committees consisting of such number of members of the Council or of the Institute as it thinks fit, and any committee so formed shall conform to any regulations imposed on it by the Council.

(2) The meeting and proceedings of any such committee shall be governed by the provisions of these Regulations for regulating its meetings.

#### **51. All acts done by Council or committees to be valid**

All acts *bona fide* done at any meeting of the Council by any person acting as a member of the Council, or of any committee, notwithstanding that there was any defect in the appointment on the Council or committee or appointment of any person or member of the council or committee acting as aforesaid, or that they or any of them were not qualified at the time of their appointment, or have become disqualified, shall be as valid as if such Council or committee were appointed without any defect.

#### **52. Minutes of proceedings**

The Council shall cause proper minutes to be kept of the proceedings of the meetings of the Institute, Council or committee and all business transacted at such meetings or any such minutes of any meeting if purporting to be signed by the chairman of the meeting, or by the chairman of all succeeding meetings, shall be conclusive evidence of the proceedings therein without any further proof of the fact therein stated.

#### *Disciplinary Tribunal*

#### **53. Disciplinary Tribunal**

(1) A Disciplinary Tribunal shall be constituted with the powers and for the purposes specified in section 15 of the Decree.

(2) The Disciplinary Tribunal shall consist of the chairman and other members who shall be appointed by the Council from among the members of the Council and the quorum shall be four.

#### **54. Membership of the Disciplinary Tribunal**

All vacancies, from time to time, occurring in the Disciplinary Tribunal shall be filled by the Council, but the Disciplinary Tribunal may act notwithstanding any vacancy in its membership, provided that the members shall not be less than four.

### **55. Suspension of membership**

(1) The Disciplinary Tribunal shall meet at such time and in such places as may, from time to time, be found expedient and minutes shall be kept of all proceedings of the Disciplinary Tribunal.

(2) The Disciplinary Tribunal may suspend any member of the Institute, who is proved to the satisfaction of the Disciplinary Tribunal to have been guilty of a discreditable act or conduct and that member shall be stopped from the exercise of all rights and privileges as a member during such period as it may think fit, or it may censure any member for any act or conduct which in its opinion is so expedient:

Provided that at least five members of the Disciplinary Tribunal are present at the meeting at which the suspension or censure be resolved.

(3) If any member of the Disciplinary Tribunal shall, in the opinion of the Investigation Panel, be guilty, or if any member shall either before or after his admission to the Institute be accused of a dishonourable conduct, or of conduct which would, in the absence of satisfactory explanation, be derogatory to the ethics of the Institute or render him unfit to remain a member, then the Investigation Panel shall send to such member at his last registered address, a statement in writing of the conduct imputed to him and shall afford him an opportunity of giving an explanation personally or in writing as he may elect.

(4) If, on the consideration of such explanation, or in the absence of any explanation, the Investigation Panel shall be of the opinion that the member ought to be excluded from the Institute, it shall state its opinion in the form of a report to be laid before the Disciplinary Tribunal for further action.

### **56. Disciplinary action**

On any report being laid before the council by the Disciplinary Tribunal, recommending the exclusion of a member, a meeting of the Council shall be convened and the member may be dealt with as the Council may think fit.

### **57. Suspension, etc.**

(1) In the event of the suspension, removal or exclusion of a member, the Council shall be at liberty to cause a notice thereof to be published in such newspaper or journal as it may elect.

(2) In the event of the resignation, suspension, removal, or exclusion of a member, or of a member ceasing to be a member, for any other cause, every certificate of membership held by him, shall be delivered up to the Institute to be retained during the period of his suspension.

### **58. Forfeiture of membership on the Council**

If it shall appear that a member failed to give adequate information about himself or that the particulars given therein were incorrect or misleading so that the insufficient, inaccurate or misleading information might have been responsible for or have influenced the granting of his application for membership, the Council may by vote of two thirds of the members of the Council present exclude such member from further membership of the Institute.

#### **59. Re-admission to membership**

In case of a person whose membership has ceased in accordance with the provisions of the Decree or these Regulations, the Council may, by unanimous resolution at a meeting convened with notice of the object, and upon such conditions as it may think fit, admit or refuse to re-admit an applicant without disclosing any reason for such refusal.

#### *Subversive activity*

#### **60. Subversive activity**

When it is established that a person is involved in any subversive activity against the Institute, that person, if a member of the Institute, shall be expelled for life from the Institute; if however, the person is an applicant seeking membership of the Institute, his action shall be sufficient reason to reject the application for membership of the Institute.

#### *Register of members*

#### **61. Register of members**

The Council shall keep a register of members in respect of each State of the Federation and the Federal Capital Territory, Abuja and the register shall specify the name and address of every member for the time being resident in that State and the Federal Capital Territory, Abuja and the class in which such member is for the time being placed by the Council and the register shall be open to inspection by members of the public at all reasonable times.

#### *Funds*

#### **62. Funds**

(1) All monies, bills and notes belonging to the Institute shall be deposited with the Institute's bankers in an account to be kept in the name of the Institute.

(2) All cheques of the Institute's bankers, until otherwise resolved by the Council, shall be signed by the President, Registrar and such other member of the Council authorised so to do.

(3) The Institute's bank accounts shall be kept with such banker or bankers as the Council may, from time to time, determine.

*Accounts*

**63. Accounts to be kept**

(1) The Council shall cause true and correct accounts to be kept-

(a) of the assets and liabilities of the Institute;

(b) of all monies received and expended by the Institute and the matters in respect of which such receipts and expenditures were made; and

(c) of all sales and purchases of goods by the Institute.

(2) The books of account of the institute shall be kept at the office, or at such other place or places as the Council may deem fit and shall be open to inspection by members of the Council and the Institute.

(3) The Council at a general meeting may, from time to time, make reasonable conditions and regulations as to the time and manner for the inspection of the accounts and books of the Institute or any of them by members of the Institute or of the Council and subject to such conditions and regulations, the accounts and books of the Institute shall be open for inspection by members at all reasonable times during business hours.

**64. Annual accounts and report**

(1) Once, at least in every year, the Council shall cause to be prepared and laid before the Institute at a general meeting an income and expenditure account for the previous year made up to a date not more than six months before such meeting.

(2) A balance sheet in respect of the accounts of the Institute shall be made out in every year at the same date, and laid before the Council at a general meeting and every balance sheet shall be accompanied by a report of the Council as to the affairs of the Institute generally and a report of the auditors, and a printed copy of such account, balance sheets, and reports shall not less than twenty clear days before the meeting be served on the auditors and on the members who are entitled to receive notices from the Institute in the manner in which notices are hereinafter directed to be served.

(3) At least once in every year the accounts of the Institute shall be examined and the correctness of the income and expenditure of the account and balance sheet shall be ascertained by one or more auditors.

*Notices*

**65. Notices to members**

(1) A notice may be served by the Institute upon any member, either personally or by sending it through the post in a prepaid letter, addressed to the member at his last known registered address as appearing in the register of members.

(2) Any member described in the register of members by an address not within Nigeria, shall, from time to time, give the Institute an address, but save as aforesaid, only those members who are described in the register of members by an address within Nigeria shall be entitled to receive any notice from the Institute.

(3) Any summons, notice, order or such other document required to be sent to or served upon the Institute, or upon any officer of the Institute, may be sent or served by leaving the same, or sending it through the post in a pre-paid letter addressed to the Institute or to such officers at the office.

(4) Any notice, if served by post, shall be deemed to have been served on the day following that on which the letter containing the same is put into the post, and in providing such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as a prepaid letter.

#### Rules for regulating proceedings

### **66. Rules for regulating proceedings**

(1) It shall be lawful for the Council, from time to time, to make rules regulating proceedings, rescind or alter rules, regulations and standing orders for regulating its proceedings and the procedure of the Institute and the management of the members thereof, for the calling of notices, of procedure at meetings, nominations, the service of documents and for other matters affecting the Institute:

Provided always that no rule, regulation or standing order shall have any validity or effect which is contrary to the provisions of these Regulations or constitutes or involves such an alteration of or addition to these Regulations as can only lawfully be made by a special resolution of the Institute. Accordingly, a rule, regulation or standing order of the Institute shall not be made except by a resolution of the Council passed by a majority of two thirds of the members present and voting at a meeting of the Council.

#### *Registered office*

### **67. Registered office**

The registered office of the Institute shall be at such place or places as the Council may, from time to time, determine and where any change in the place of the registered office of the Institute shall occur it shall be notified in writing to all members of the Institute within seven days of the change being made.

### **68. Income and property**

The income and property of the Institute whensoever derived shall be applied solely towards the promotion of the objectives of the Institute as provided in the Decree and such other subsidiary legislation made thereunder and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise.

#### **69. Remuneration**

Nothing in these Regulations shall prevent the payment in good faith of reasonable and proper remuneration to any officer or servant of the Institute or to any member of the Institute in return for any service actually rendered to the Institute provided that no member of the Council shall be appointed to any salaried office of the Institute, and no remuneration or other benefit in money or money's worth shall be given by the Institute to any member of the Council except repayment of out-of-pocket expenses or reasonable and proper rent for premises demised, or let to the Institute.

(2) The provisions of paragraph (1) of this regulation shall not apply to any payment to any body corporate or to a member of the Institute made by a body corporate in which the member shall hold not more than one hundredth part of the share capital, and the member shall not be bound to account for any share of profits he may receive in respect of any such payment.

#### **70. Submission to the Minister**

No addition, alteration, or amendment shall be made to these Regulations for the time being in force unless the same shall have been submitted to the Minister.

#### *Interpretation*

#### **71. Interpretation**

In these Regulations, unless the context otherwise requires -

"**Decree**" means the Chartered Institute of Administration Decree 1992;

[1992 No. 103.]

"**Minister**" means the Minister charged with responsibility for matters relating to education.

#### **72. Citation**

These Regulations may be cited as the Chartered Institute of Administration Regulations 1997.

#### SCHEDULE

[Regulation 27.]

*Chartered Institute of Administration*

.....of

.....

being a member of the Chartered Institute of Administration hereby appoint .....

.....

of .....

a member of the Chartered Institute of Administration and failing him .....

.....of .....

another member of the Chartered Institute of Administration as my proxy to vote on my behalf at the

General Meeting of the Chartered Institute of Administration to be held on the .....

day of .....20 .....or at any adjournment date.

As witness my hand this .....day of..... 20 .....

.....

.....

For

Against

