

AN ACT TO ESTABLISH THE COUNCIL FOR THE REGULATION OF TRAVEL AND TOUR MANAGEMENT COMPANIES OF NIGERIA; PROVIDE FOR THE REGISTRATION OF PERSONS WHO BY WAY OF BUSINESS, NEGOTIATE FOR OR OTHERWISE ACT IN RELATION TO SELLING OF TRAVEL AND TOUR SERVICES ON BEHALF OF TRANSPORT CARRIERS TO FACILITATE CARRIAGE BY AIR, RAIL OR ROAD OF PASSENGERS AND FOR THE CONTROL, REGULATION AND ORDERLY DEVELOPMENT OF PASSENGER TRAVEL DISTRIBUTION IN NIGERIA; AND FOR RELATED MATTERS, 2019 (HB. 1321).

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

PROVISION OF BILL	COMMITTEE'S RECOMMENDATION	REMARK
PART I — ESTABLISHMENT OF THE COUNCIL Establishment of the Council. 1. There is established a body to be known as the Council for the Regulation of Travel and Tour Management Companies of Nigeria (in this Bill referred to as “the Council”)	Retained	
The Council. 2. (1) The Council: (a) shall be a body corporate with perpetual succession, capable of suing and being sued in its corporate names ; (b) shall have a common seal which shall be kept in such manner as the Executive Council may direct; (c) may with the prior approval of the Executive Council, borrow, lend or otherwise raise money in such manner, including by way of executing securities and guarantees, as it may, from time to time determine; and (d) may acquire, hold, develop and dispose of movable or immovable property. (2) The provisions of the First Schedule shall have effect with respect to the Council.	Retained	
Membership of the Council. 3. (1) Membership of the Council shall be open to all registered Travel and Tour Companies operating within the Federal Republic of Nigeria: (a) Full Members — Full members shall be registered Travel and Tour Management companies accredited by the International Air Transport Association (IATA)	Retained	

and must be in good financial standing with the Council and IATA in addition to being registered with the NCAA; (b) Associate Member — shall be registered but non IATA accredited Travel and Tour Management Companies operating within Nigeria and which are registered with The NCAA and are in good financial standing with the Council. Such members shall not be eligible to hold executive offices but can exercise voting rights in any election provided that a non IATA member may be eligible to hold a national executive office in the absence of an IATA member. (2) (a) Applications for membership of the Council shall be made in writing on a prescribed form. Each member shall on admission be bound by the rules and regulations of the Council, and the code of conduct for members. (b) A person shall be refused membership if considered likely to bring the Council into disrepute or otherwise to prejudice the interest and objectives of the Council. (c) The Executive Council shall have the right to refuse membership in such circumstances by two third majority of members present and voting at the meeting. (d) A person so excluded may have the opportunity to re-apply to the Committee. Notice of any such reapplication must be given in writing to the Council Executive Secretary within 14 days of the person being notified in writing that the Committee has refused membership.		
Registration fees and subscriptions. 4. The registration fees and annual subscriptions payable by members shall be determined at the Annual General Meeting on the recommendations of the Executive Council.	Retained	
Functions of the Council. 5. The functions of the Council shall be to: (i) promote standards of professional competence and practice amongst members of the Council; (ii) to perform market researches and surveys in the Travel Industry and related matters, and the publication of books, periodicals, journals and	Retained	

articles in connection therewith; (iii) to adopt required measures to avoid unfair competition among Council members; (iv) promote international recognition of the Council and to represent members at international organizations and international events; (v) advise approved training institutions on matters relating to instructions and examination of standards and policies; (vi) to provide opinion when so required to relevant government bodies; (vii) to ensure that registered members and the Council comply with the International Air Transport Council (IATA), Agency Programme Joint Council (APJC) and Universal Federation of Travel Agents Council (UFTAA) regulations respectively in addition to such regulations as may be enacted by the Federal Government of Nigeria from time to time; (viii) to make such regulations as may be necessary to facilitate the smooth operations of Travel Agencies and Tour Operators in Nigeria; (ix) to ensure compliance with rules and regulations that has been agreed upon by members of the Council among themselves and other related bodies; (x) to promote cordial relationship between its members and other bodies, institution and companies affiliated with travel and tourism industry; (xi) to encourage the promotion of travel and tourism within the Federal Republic of Nigeria in particular and the rest of the world in general; and (xii) carry out any other functions prescribed under any other provisions of this Bill.		
Composition of the Board. 6. (1) The Council shall have a Governing Board consisting of a representative from each zone and two (2) members from the Council who must be persons of proven integrity and	Retained	

members of the National Association of Nigeria Travel Agencies (NANTA), the governing Board shall be known as the incorporated Trustees of the Council. (2) A member of the Governing Board shall be appointed on the recommendation of the Executive Council by a two third majority vote at an Annual General Meeting and shall serve as Board member for (10) ten years renewable at the expiration of each term unless removed as provided for herein but cannot exceed two terms; (3) A Board member shall cease to hold office in the event of any of the following occurring: (i) resignation in writing; (ii) death or permanent incapacity; (iii) removal by the Council; (iv) if he ceases to own a Travel Agency; (v) he has served for a period of two terms. (4) A person shall be qualified to be appointed as a Board member of the Council if : (i) he owns a Travel and Tour Company and has been in the business for a minimum period of ten (10) years; (ii) he must be active member of the Council as an executive at zonal or national level. (5) A person shall not be qualified if he: (i) is a person of unsound mind and adjudged to be so by a Court of competent jurisdiction; (ii) is an undischarged bankrupt; or (iii) has been convicted of a criminal offence by a court of competent jurisdiction.		
Removal of a Board member. 7. A member of the Board may be removed from office on recommendation of the zone he represents and such recommendation shall be rectified by two third majority of	Retained	

the members voting at an Annual General Meeting on any of the following grounds: (a) gross misconduct in respect of the affairs of the Council; (b) gross misconduct that is capable of bringing the name of the Council to disrepute; (c) inability to discharge the functions of the Board.		
Powers of the Board. 8. (1) The Board shall exercise the following powers: (a) to act as the custodians of the properties of the Council and approve any purchase or sale of landed property by the Council; (b) to arbitrate and conciliate in the event of disputes between members at the request of the members involved; (c) to request Executive Council Meetings by giving 14 days' notice and to table before such meetings any issue for consideration; (d) to give impartial interpretation of the rules and regulation of the council; and (e) to act on all lawful recommendations of the Executive Council. (2) Whenever the Boards has reasonable cause to investigate a matter or petition relating to, arising from or in connection with the affairs, interests, integrity, finances and/or financial management of the Council, the Boards may deem it necessary to; (a) co-opt or delegate any member or members of the Council and/or appoint a professional individual to carry out such enquiry; (b) to agree with such professional person(s) reasonable fees to be paid by the Council for all services rendered; (c) to summon any member to appear for such enquiry, request for any information and or documents from any member, management or staff of the Council.	Retained	

(3) Any member so summoned must honor the invitation and provide all documents as may be demanded; (4) Any member so summoned shall honor the invitation to appear in any proceedings relating to the enquiry and shall be penalized in accordance with the provisions of section 23 of this Bill.		
Duties of the Board. 9. (1) To protect and ensure the observance of the laws, rules and regulations of the Council. (2) To protect the properties of the Council. (3) To act as an advisory body to the Council. (4) To appoint a Chairman of the Board from amongst themselves.	Retained	
Executive Council. 10. (1) (a) The Council shall be governed by the executive Council. (b) Subject to this Bill, all things done in the name or on behalf of the Council, by the Executive Council shall be deemed to have been done by the Council. (c) The Council shall issue standards of professional practice which shall form the basis of the travel trade for members of the Council in the formulation of Travel services. (d) The Council shall with the approval of the Members in an Annual General Meeting issue bye-laws, regulations and guidelines to govern matters affecting the operations and practice by members of the Council. (2) Membership of the Council shall be as follows: (a) National President; (b) 1st Deputy President; (c) 2nd Deputy President; (d) Vice Presidents — Lagos, North, East, West and Abuja Zones; (e) Financial Secretary; (f) Treasurer;	Retained	

(g) Publicity Secretary; (h) Internal Auditor; (i) a representative of the NCAA appointed by the minister responsible for aviation; (j) one member to represent the National Carrier. The immediate Past President and such other person who is a member may be co-opted by the Council. (k) the Executive Council shall be spread across the zones. <i>Tenure.</i> (3) The tenure of each member of the Executive Council shall be for a term of two (2) years only.		
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Functions of the Executive Council. 11. The functions of the Executive Council shall be to execute policies for the smooth running of the Council and such other functions as the General Meeting may, from time to time, determine.	Retained	
Executive Secretary. 12. (1) There shall be an executive secretary of the council appointed by the executive council on recommendation of the National President. (2) (a) The Executive Secretary may be removed by the Executive Council upon recommendation of the National President. (b) The Executive Secretary shall be the Chief Executive Officer of the Council. (3) The Executive Secretary shall manage the Councils Secretariat and its staff and serve as the Administrative Manager of the Council; (4) The Executive Secretary shall report to the National President on all activities of the Secretariat and all staff matters; (5) The Executive Secretary shall be paid such sums as salary and allowances as may be approved by the Executive Council; the Executive secretary shall be the secretary to the council as well as secretary to all committees of the council. (6) All documents of the Council shall be kept in safe custody in the Secretariat.	Retained	
Audit.	Retained	

13. (1) The executive council shall appoint or re-appoint a firm of Audit at an Annual General Meeting. (2) The firm shall be appointed by simple majority votes and removed by same. (3) The firm shall present its report at the Annual General Meeting having circulated a draft copy to the Executive Council twenty one (21) days before the meeting.		
Committees of the Council. 14. The Council may establish such committees as are necessary for the performance of the functions of the Council and may, subject to the provisions of this Bill, delegate powers conferred on it to such committees.	Retained	
Membership registration committee. 15. (1) There is established a membership Registration Committee consisting of seven members to be appointed by the Executive Council (2) The functions of the Registration Committee shall be to: (a) receive, consider and approve applications for registration as a Travel Agent and grant practicing certificates and annual licenses in accordance with the provisions of this Bill; (b) monitor compliance with professional quality assurance and other standards published by the Council for observance by members of the Council; (c) where appropriate, recommend to the Council that a member's conduct be referred for inquiry under appropriate section of this Bill (d) advise the Council on matters pertaining to professional and other standards necessary for achievement of quality assurance; (e) perform any other functions incidental to fulfilment of its objectives under this Bill. (3) In the performance of its functions under this section, the Registration Committee may undertake such investigations as it deems appropriate, and may requisition evidence, examine records and documents prepared or held by, or likely to be availed to the member under investigation.	Retained	

(4) Where the Registration Committee makes a recommendation under subsection 2 (c) the Council shall refer the matter for inquiry to the appropriate committee. (5) The Council shall provide the Registration Committee with such facilities and resources as are necessary to enable it discharge its functions. (6) In the exercise of its functions under this Bill, the Registration Committee shall regulate its own procedure and shall not work under the direction of any person or persons. (7) The Secretary to the Council shall serve as the Secretary to the Registration Committee but shall not be entitled to vote. (8) The provisions of the Third Schedule shall have effect with respect to the Registration Committee.		
PART II — PRACTISING CERTIFICATES AND REGISTRATION OF TRAVEL AND TOUR AGENTS Requirements for practicing certificates. 16. (1) No person shall practice as a travel agent unless he is a holder of a practicing certificate and a license to practice issued by NATA and or IATA. (2) Any person who contravenes subsection (1) commits an offense and is liable on conviction to a fine not exceeding One Million Naira or to imprisonment for a term not exceeding three years or to both.	Retained	
Practicing as a travel agent. 17. Subject to this section, a person practicing as a travel agent if, in consideration of remuneration or other benefits received or to be received, and whether he himself or in partnership with other persons or as a body corporate for which he is a member, such person: (a) enters into negotiations with passenger transport carriers to sell, and or distribute their services to the general public for a Service fee or commission; (b) sells on behalf of passenger transport carriers passage over land, sea or air fares and other travel services designed for the general public for a Service	Retained	

fee or commission.		
Applying for a practicing certificate.	Retained	
18. (1) A person wishing to obtain a practicing certificate shall apply to the membership Registration Committee. (2) An application for a practicing certificate shall be in a prescribed form and shall be accompanied by a prescribed fee.		
Issue of practicing certificate.	Retained	
19. (1) Where an application is made by a person in accordance with section 21, the membership Registration Committee shall issue to such a person a practicing certificate if it is satisfied that the person: (a) is registered; (b) has received from a proprietor of any Agency who is a holder of a practicing certificate, instruction to apply for such period as may be prescribed; and (c) meets such other requirements as may be prescribed, and, if not satisfied, shall refuse the application. (2) A practicing certificate issued under this Bill remains in force unless it is revoked.		
Issue of annual license.	Retained	
20. (1) Where the holder of the practicing certificate wishes to practice as an Agency, whether as a sole practitioner, partnership or body corporate, he shall apply to the Registration Committee for an annual license in a prescribed form, furnishing the Committee with such details of the firm as it may require. (2) Where an application is made by a person under subsection (1), the Committee shall issue him with an annual license if it is satisfied that the person: (a) holds a practicing certificate; and (b) meets such other requirements as may be prescribed; and if not satisfied, shall refuse the application. (3) An annual license issued under this Bill shall be valid from		

the date of issue to the thirty first December of the year of issue and shall be renewed at the end thereof.		
Practicing certificate, annual licenses. 21. (1) A practicing certificate or an annual license issued to any person shall remain the property of the Council. (2) The Secretary to the Committee shall cause to be kept a Register in which shall be recorded: (a) the name of any person whose application under section 21 of this Bill is approved; (b) the fact that a practicing certificate is issued to any such person or that any such certificate has ceased to be in force under this Bill; (c) particulars of the cancellation of the registration of any person; (d) the fact that the registration of any person is restored under this Bill; (e) details of agencies engaged in the travel business including their proprietors, full addresses, contact telephone numbers, Email addresses; and (f) such other matters as the Council may determine. (3) The Secretary to the Registration Committee may cause to be made such alterations in the register as are necessary to ensure that the matters recorded therein are accurate. (4) The register may at all reasonable hours be inspected and copies of all or any part of any entry in the register taken: (a) without payment by: (i) any member of the police force or any public servant acting in the course of his duty; or (ii) any person authorized by the Secretary to the Council. (b) on payment of such fee as may be prescribed by any other person. (5) The register shall be received in proceedings before any court or tribunal as evidence of the matters recorded therein which are required by or under this Bill to be so recorded.	Retained	

(6) Proceedings on enquiry under this Bill before the Disciplinary Committee shall be deemed to be proceedings before a tribunal for the purposes of this section.		
PART III — DISCIPLINARY PROVISIONS Professional misconduct. 22. A member of the Council shall be guilty of professional misconduct if such member: (a) allows any person to practice in his name as a travel agent, unless such person is the holder of a practicing certificate and is in partnership with him or employed by him; (b) enters for the purpose of or in the course of practicing as an accountant, into partnership as a travel agent with a person who does not hold a practicing certificate, or secures any professional business through the services of such person or by means not open to a travel agent; (c) shares or agrees to share directly or indirectly to any person not holding a practicing certificate any share, commission or brokerage out of fees, profits of his professional services; (d) solicits clients or professional work or advertises professional attainments or services by use of means which contravene the guidelines published by the Council; (e) discloses information acquired in the process of professional engagement to any person other than a client, without the consent of the client, or otherwise than required by law; (f) fails to observe and apply professional, technical, ethical or other standards prescribed by the Council as guidelines for practice by the members of the Council; (g) is guilty of gross negligence in the conduct of his professional duties; (h) fails to separate carrier funds in a separate bank account or to use any such funds for purposes for which they are not intended; (i) includes in any statement, returns or forms to be	Retained	

submitted to the Council any particulars knowing them to be false; or (j) is found to engage in other fraudulent acts: (i) publishes any advertisement that is in any way misleading to the public or which will reflect upon or institute unfavorable comparisons amongst agents carriers, hotels or any other segment of the travel industry; (ii) willfully interferes with or induce the cancellation of a definite sale by another member or agent after the traveler has made a deposit or paid in full for services to be rendered; (iii) influence through subterfuge any employee of any common carrier, hotel or travel organization for the purpose of securing favorable consideration in the assignment of space for any other purpose which may prove to be unethical under this code of conduct; (iv) imitate, stimulate or copy any name, design, style, mark or pattern used by another member agent, hotel or common carrier without specific permission; (v) display IATA logo within their office premises if the agency has not been approved by IATA. (k) fails to do any other act which may be prescribed.		
Disciplinary committee. 23. (1) There shall be a committee of the Council to be known as the Disciplinary Committee. (2) The Disciplinary Committee shall consist of six members who shall be appointed in accordance with subsection (3). (3) The members of the Disciplinary Committee shall be appointed by the Boards from amongst persons nominated in the following manner: (a) four persons nominated by the Council from amongst the members of the Council, of whom one shall be designated as Chairman;	Retained	

(b) one person nominated by the Council from another profession other than Travel and Tour Management Companies; (c) one person nominated by an organization that promotes corporate governance (d) the Executive Secretary of NANTA. (4) The quorum of the Disciplinary Committee shall be four. (5) Subject to subsection (6) of this section, a member of the Disciplinary Committee shall hold office for three years and shall be eligible for reappointment for one further term. (6) Where any member of the Disciplinary Committee resigns or for any reason unable to perform his function, the Council shall with the consent of the Boards require the respective nominating body specified in subsection (3) of this section to nominate a replacement for such member for appointment. (7) The Council shall provide the Disciplinary Committee with such facilities and resources as are necessary to enable it discharge its functions. (8) The Disciplinary Committee may subject to the provisions of this Bill, regulate its own procedure.		
Inquiry by the disciplinary committee. 24. (1) Where the Council has reason to believe that a member of the Council may have been guilty of professional misconduct it shall refer the matter to the Disciplinary Committee which shall inquire into the matter. (2) The provisions of the Second Schedule shall have effect with respect to an enquiry by the Disciplinary Committee pursuant to subsection (1).	Retained	
Recommendation after inquiry. 25. (1) On the completion of an inquiry under section 28 of this bill into the alleged professional misconduct of a member of the Council, the Disciplinary Committee shall submit to the Council a report of the inquiry which shall include one or more of the following recommendations: (a) that no further action be taken against the member; (b) that the member be reprimanded; (c) that the member pays such costs to the Council not	Retained	

exceeding two hundred thousand Naira as may be determined; (d) that the member undertakes training at his own costs of such nature and duration and at such institutions as may be determined; (e) that the member pays to the council a fine not exceeding one hundred thousand Naira; (f) that the member discharges his professional obligations under any contractual arrangement subject to the alleged misconduct; (g) that any practicing certificate held by the member be suspended, or (h) that the registration of the member be cancelled for such period as may be specified. (2) Where the Disciplinary Committee, in a report makes a recommendation under subsection (1), of this section the Council shall inform the member concerned of the action to be taken against him and the effect of the recommendation of the Disciplinary Committee. (3) A member dissatisfied with the determination of the Disciplinary Committee under subsection (1) may make an appeal to the Council within thirty days of the communication to him of such determination, providing the grounds upon which the appeal is lodged and upon payment of an appeal fee of ₦10,000 (Ten Thousand Naira). (4) The Council may upon receipt of an appeal under subsection (3) direct the Disciplinary Committee to re-open the inquiry and shall in such direction specify the aspects of the matter it requires the Disciplinary Committee to reconsider. (5) The Disciplinary Committee shall on complying with the directions of the Council under subsection (4) of this section and shall, after concluding the inquiry, submit a report to the Council in accordance with subsection (1) of this section.		
Appeals. 26. (1) A person dissatisfied with the determination of the Disciplinary Committee under this section may appeal to the High Court against such determination within sixty days of being notified of the determination.	Retained	

(2) On an appeal, the High Court may affirm, with or without variation, of the period for which the person concerned is not to be registered, or the period for which his practicing certificate is suspended, confirm the determination of the Disciplinary Committee or allow the appeal.		
PART IV — MISCELLANEOUS AND GENERAL PROVISION Temporary registration of persons not citizens of Nigeria. 27. (1) Where a person satisfies the Council: (a) that has been selected for employment for a specified period in any capacity registered travel agents under this Bill is qualified to be in Nigeria temporarily for the purpose of serving for the employment; (b) that he holds a qualification or has passed the period necessary examinations; and (c) that he would have qualifications granted outside Nigeria accepted by the Council as to qualify him to be registered temporarily as a travel agent. (2) The temporary registration of a person shall continue only while he is in such employment as it is stated in Subsection (1) (a) of this section and shall cease at the end of the period of the employment specified to the Council under that subsection or on the determination for the employment. (3) Nothing in subsection (2) shall preclude the Council from giving a further direction under subsection (1) of this section in respect of a specified period whose commencement coincides with the termination or prior determination of another employment. (4) A person who is temporarily registered shall, in relation to his employment and to things done or omitted to be done in the course of that employment, be deemed to be fully registered, but in relation to all other matter, he shall be treated as not so registered. (5) In case of doubt as to whether a person's employment has been terminated, the decision of the Council shall be conclusive for the purpose of subsection (2) of this section. (6) The Executive secretary, as directed from time to time by the Council, shall remove from the register the name of any	Retained	

person ceasing to be entitled to the benefit of this section.		
Offences. 28. (1) A person, not being a registered travel agents, who: (a) for or in expectation of reward, practices or holds himself out to practice as such, or (b) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorized by law to practice as a registered travel agents, shall be guilty of an offence under this Bill. (2) If a person for the purpose of procuring the registration of any name, qualification or other matters: (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, he shall be guilty of an offence under this Bill. (3) If the Executive secretary or any other person employed by the Council willfully makes any falsification in any matter relating to the register, he shall be guilty of an offence under this Bill. (4) A person guilty of an offence under this Bill shall be liable: (a) on conviction in a High Court, to a fine not exceeding ₦50,000.00 (Fifty Thousand Naira) or imprisonment for a term not exceeding five years or both and, where the offence is a continuous one, to a further fine not exceeding ₦20,000.00 (Twenty Thousand Naira) for each and every day the offence continues. (5) Where an offence under this section 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 neglects on the part of any director, manager, secretary or any person purporting to act in any such capacity he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable on conviction to a fine not exceeding fifty thousand naira for each day the offence continues.	Retained	
Supplementary provisions.	Retained	

29. (1) Subject to the provisions of this section, a person not otherwise exempted shall not hold an appointment-requiring status as travel agents under this Bill in the public and civil service of the Federation or of a State or in the armed forces of the Federation; or public and/or private limited or unlimited liability organizations unless he is a registered travel agent under this Bill. (2) A travel agent shall, but to the extent only of his particular qualification, be entitled to practice as a registered travel agents throughout the Federation. (3) A person in charge of any university or institution in the Federation offering courses leading to an approved qualification intended for persons who are seeking to become registered as travel agents under this Bill shall furnish the Registrar, not later than 31st day of March in every year, with a list of the names and or such other particulars, as the Council may specify, of all persons who attended any such courses at the university or institution in question at any time during the preceding year. (4) In this section, "public service" includes service as a registered travel agent in or with any educational institution, commission, corporation or State-owned or Joint Venture Company and any employment in the Federation.		
Control of Council by Minister. 30. The minister may give to the Council directions of a general character or relating generally to particular matters (but not to any individual person) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions, provided that the direction does not infringe on the ethics and codes of conduct of the profession.	Retained	
Regulations, rules and orders. 31. (1) The Council shall have power to make rules and regulations, as expedient for giving full effect to the provisions of this Bill and for the administration thereof be published in the official Gazette. (2) Any power to make regulations, rules and orders under this section shall include power: (a) to make provision for such incidental or supplemental matters as the person or authority		

making the instrument consider expedient for the purpose of the instrument; and		
(b) to make different provision for different circumstances.		
Interpretation.	Retained	
32. (1) In this Bill: "annual license" means an annual license issued pursuant to the Bill; "Council" means the National Council of Nigeria Travel and Tour Management Companies as established by section 3; "President" means the President of the Council and includes a person elected to act as President; "Council" means the Executive Council of the Council established under this Bill; "practice as a Travel Agent" means the doing in connection with the selling of passenger travel via air, rail, sea or road for a valuable consideration on behalf of principal carriers of such conveyances; "Register of Travel and Tour Management Companies" means the register maintained under this Bill and registered shall be construed accordingly; "Profession" means the profession of Travel Agencies; "IATA" means International Air Transport Association; "NANTA" means National Association of Nigeria Travel Agencies; "Minister" means the Ministry responsible for the minister of aviation; (2) For purposes of this Bill, a person shall be treated as being a practicing agent if he or a body corporate of which he is a member: (a) receives payment for acts done by way of practice as a travel agent by him, or by a partner or body corporate, or by an employee of his or of a partnership		

or by any person acting on his behalf; or (b) holds himself or itself out as being prepared, in return for payment, to undertake the doing by any such person of acts by way of practice as a travel agent: Provided that in this subsection "payment shall not include payment limited to the reimbursement of expenses or payment of salary by an employer to an employee. "approved qualification" means such qualification which is approved for the time being by the Council; "Council" means the Council for the Regulation of Travel Agents of Nigeria established under section 1 (1) of this Bill; "Travel agents" means any person fully registered as such under this Bill; "Association" means the National Association of Nigeria Travel Agencies (NANTA).		
Citation. 33. This Bill may be cited as the Council for the Regulation of Travel and Tour Management Companies of Nigeria (Establishment) Bill, 2019.	Retained	
SCHEDULES FIRST SCHEDULE <i>Section 1 (3)</i> SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL <i>Qualifications and Tenure of Office of members</i> 1. (1) A person shall not be appointed a member of the Council unless he is a citizen of Nigeria and he is registered as a travel agent under this Bill. (2) Subject to the provisions of this paragraph, a person who is a member of the Council otherwise than by virtue of section 1 (3) of this Bill shall hold office for a period not exceeding four years beginning with the date of his appointment or election, as the case may be: Provided that a person shall not hold office, whether appointed or elected, for a term of less than four years unless the Minister after consultation with the Council otherwise directs. (3) Any member of the Council holding office otherwise than	Retained	

as mentioned in sub- paragraph (2) of this paragraph may, by notice to the Council, resign his office.

(4) Subject to paragraph 3 of this Bill, a person who has ceased to be a member of the Council shall be eligible again to become a member of the Council.

(5) Where a member of the Council ceases to hold office before the date when his term of office would have expired by effluxion of time, the body or person by whom he was appointed or elected shall, as soon as may be possible, appoint or, as the case may be, elect a person to fill the vacancy for the residue of the term so that provisions of this sub- paragraph shall not apply where a person holding office as a member of the Council ceases to hold office at a time when the residue of his term does not exceed one year.

(6) The power of appointing a person as President of the Council shall:

(a) during the period beginning with the date when this Bill comes into force, be exercisable by the Minister on the recommendation of the Council; and

(b) after the expiration of that period, be exercisable by the Council and where an existing member of the Council is appointed President, his office as an existing member shall become vacant and his term of office as President shall begin on the date of his appointment as President.

(7) Notwithstanding that the term of office of a member of the Council has expired by the effluxion of time, a person appointed, as President, Vice President and one other person shall continue in that office until a fresh appointment is made to the office

(8) The quorum of the Council shall be seven so that at least two of the person elected by the Council and two of the representatives of the States of the Federation are present at the particular meeting, and the quorum of any committee of the Council shall be determined by the Council.

Power of the Council

2. (1) The Council shall have power to do anything, which in its opinion is calculated to facilitate the carrying on of its activities.

(2) The Council shall have power to borrow money or to

dispose of any property and it shall have power to pay remuneration (including pensions) allowances, or expenses to any member, officer or servant of the Council or to any other person.

Proceeding of the Council

(3) Subject to the provision of this Bill and Section 27 of the Interpretation Act (which provides for decisions of a body to be taken by a majority of the members of the body and or the President to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or of any of its committee.

(4) The quorum of the Council shall be seven and the quorum of any Committee of the Council shall determine by the Council.

5. (1) The Council shall appoint one of members to be the 1st Deputy President of the Council for such period as the Council may determine, so that the 1st Deputy President who ceases to be a member shall cease to be a 1st Deputy President.

(2) At any time while the office of the President either is vacant or the president is, in the opinion of the Council permanently or temporary unable to perform the function of his office, the 1st Deputy President shall perform those functions, and references in this Schedule to the President shall be construed accordingly.

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

(2) At any meeting of the Council, the President or in his absence the 1st Deputy President shall preside, but if both are absent, the members present at the meeting shall appoint one of them 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 it thinks fit, but a person who is a member by virtue of this sub-paragraph 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 member who shall preside and as to the procedure which shall be followed at the meeting.

Committee

7. (1) The Council may appoint one or more Committees to carry out on behalf 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, and not more than one-third of those persons may be persons who are not members of the Council, 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

8. (1) The fixing of the seal of the Council shall be authenticated by the signature of the President or of some other member authorized generally or specifically to act for that purpose by the Council.

(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 Council by any person generally or specially authorized to act for that purpose by the Council.

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

9. The validity of any proceeding of the Council or of a Committee shall not be affected by any vacancy in the membership of the Council or Committee, or by any defect in the appointment of a member 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.

10. A member of the Council or any person holding office on a Committee of the Council who has a personal interest in any

contract or agreement entered into or proposed to be considered by the Council or a Committee thereof shall forthwith disclose his interest to the Council and shall not vote on any question relating to the contract or arrangement 11. A person shall not, by reason of his membership of the Council, be treated as holding an office in the public service of the Federation or of State.		
SECOND SCHEDULE SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL <i>Section 24(2)</i> <i>The Tribunal</i> 1. The quorum of the Tribunal shall be four. 2. (1) The Chief Justice of Nigeria shall make rules 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 persons mentioned, shall be a party to the proceedings; (c) for securing that any party to the proceedings shall, if so required, be entitled to be heard at the Tribunal; (d) for enabling any party to the proceedings to be represented by a legal practitioner; (e) subject to the provisions of Section 21 (5) of this Bill, 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	Retained	

which the allegation relates; and

(g) for publishing in the Federal Gazette 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 proceeding before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may sue out of the registry of the High Court, as the case may require, 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 Chief Justice of Nigeria and shall be a legal practitioner of not less than seven years standing.

(2) The Chief Justice of Nigeria shall make rules as to the functions of the assessor appointed under this paragraph, and in particular, such rules shall contain provision for securing:

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

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

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

<i>The Panel</i> 4. The quorum of the Panel shall be three. 5. (1) The panel may, at any meeting attended by not less than six members make standing order with respect to the Panel. (2) Subject to the provisions of any such standing order, the Panel may regulate its own procedure. <i>Miscellaneous</i> 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 the Panel, but no person who acted as member of the panel with respect to any case shall act as a member of the Tribunal with respect to that case. 7. 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 subparagraph (2) of paragraph 6 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. 8. The Tribunal and the Panel may each sit in two or more divisions. 9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or the Panel shall be served on the Executive Secretary. 10. Any expenses of the Tribunal or the Panel shall be defrayed by the Council. 11. A person shall not, by reason only of his appointment as an assessor to the Tribunal or as a member of the Panel, be treated as holding an office in the public service of the Federation or of any State thereof.		
EXPLANATORY MEMORANDUM This Bill seeks to establish the Council for the Regulation of Travel and Tour Management Companies of Nigeria; provide for the registration of persons who by way of business, negotiate for or otherwise act in relation to selling of travel	Retained	

services on behalf of transport carriers to facilitate carriage by air, rail, sea or road of passengers and for the control, regulation and orderly development of passenger travel distribution in Nigeria.		
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