

**REPORT OF THE HOUSE COMMITTEE ON HEALTHCARE
SERVICES ON A BILL FOR AN ACT TO AMEND THE
INSTITUTE OF CHARTERED CHEMISTS OF NIGERIA ACT
CAP I.12, LAWS OF THE FEDERATION OF NIGERIA 2004,
TO PROVIDE FOR THE ESTABLISHMENT OF CHEMISTS
COUNCIL OF NIGERIA, ROLE OF THE CHEMISTS, THE
REGULATION OF PRACTISING FEES BY MEMBERS OF
THE COUNCIL; AND FOR OTHER RELATED MATTERS,**

HB 1249

PROVISIONS OF THE PRINCIPAL ACT	PROVISIONS OF THE BILL	COMMITTEE RECOMMENDATIONS
1.Establishment of Institute of Chartered Chemists of Nigeria (1) There is hereby established a body to be known as the Institute of Chartered Chemists of Nigeria (in this Act referred to as "the Institute") Which shall be a body corporate under that name and be charged with the general duty of – determining what standards of knowledge and skill are to be attained by persons seeking to become registered as Chartered Chemists and raising those standards from time to time as circumstances may permit; securing in accordance with the provisions of this Act the	Amendment the Institute of Chartered Chemists of Nigeria LFN, 2004 1. The Institute of Charted Chemists of Nigeria Act Cap.1.12, and Laws of Federation of Nigeria, 2004, (herein after called "the principal Act" is amended set out in this Bill. Amendment of Section (1) 2.Section 1 of the Principal Act is amended by substituting for the existing section 1 (1), new provisions thus: (1) There is established a body to be known as the Institute of Charted Chemist of Nigeria (in this Act referred to as "the Institute).	<i>Amendment the Institute of Chartered Chemists of Nigeria LFN, 2004</i> <i>1. The Institute of Charted Chemists of Nigeria Act, Cap.1.12, and Laws of Federation of Nigeria, 2004, (herein after called "the principal Act" is amended as set out in this Bill.</i> <i>Amendment of Section (1)</i> <i>2.Section 1 of the Principal Act is amended by substituting for the existing section 1 (1), new provisions thus:</i> <i>(1) There is established a body to be known as the Chemists Council of Nigeria (in this Act referred to as "the Council).</i>

establishment and maintenance of a register of fellows, associate members, professional members, ordinary members and honorary fellows, and members of the Institute and the publication from time to time of the lists of those persons; performing through the council established by section 2 of this Act the functions conferred on it by this Act. (2) The Institute shall have perpetual succession and a common seal which shall be kept in such custody as the Council may, from time to time, authorize. (3) The Institute may sue and be sued in its corporate name and may, subject to the Land Use Act, hold, acquire and dispose of any property, moveable or immovable. [Cap L5.]	(2).The Institute shall be a body Corporate with perpetual succession and a common seal which shall be kept in such custody as the Council, may, from time to time authorize. (3).The Institute may sue and be sued in its Corporate name and may, hold, acquire and dispose of any property, movable or immovable. Functions of the Institute (4).The Institute shall be charged with the general duty of: (a) determining who is a chemist for the purposes of this Act; (b) determining what standards of knowledge and skill are to be attained by persons seeking to become registered as Chemists and raising those standards from time to time as circumstances may permit; (c)securing in accordance with the provisions of	<i>(2).The Council shall be a body Corporate with perpetual succession and a common seal which shall be kept in such custody as the Council, may, from time to time authorize.</i> <i>(3).The Council may sue and be sued in its Corporate name and may, hold, acquire and dispose of any property, movable or immovable.</i> Functions of the Institute <i>(4).The Council shall be charged with the general duty of:</i> <i>(a) determining who is a chemist for the purposes of this Act;</i> <i>(b) determining what standards of knowledge and skill are to be attained by persons seeking to become registered as Chemists and raising those standards from time to time as circumstances may permit;</i>
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	this Act, the establishment and maintenance of a Register of Fellows, Members, Corporate Members and Honorary Fellows of the Institute and the publication from time to time of the lists of those persons; (d) reviewing and preparing from time to time, a code of conduct which the Council may consider desirable for the practice of the chemistry profession, (e) regulating and training personnel in industries that make use of chemicals or chemical processes capable of affecting the environment or consumers' health; (f) regulating and training personnel involved in the analysis, formulation and synthesis of any form of chemical and chemical products in all its ramifications; (g) regulating and training personnel involved in the handling, sale, marketing, stocking, distribution, importation, advertisement, management, disposal in any manner, any form of chemical and chemical products other than	<i>(c) securing in accordance with the provisions of this Act, the establishment and maintenance of a Register of Fellows, Members, Corporate Members and Honorary Fellows, Honorary members, graduate members of the Council and the publication from time to time of the lists of those persons;</i> <i>(d) reviewing and preparing from time to time, a code of conduct which the Council may consider desirable for the practice of the chemistry profession,</i> <i>(e) regulating and training personnel in industries and institution that make use of chemicals, chemical product or chemical processes capable of affecting the environment or consumers' health;</i> <i>(f) regulating and training personnel involved in the analysis, formulation and synthesis of any form of chemical and chemical products in all its ramifications;</i> <i>(g) regulating and training personnel involved in the handling, sale, marketing, stocking, distribution, importation, advertisement, management, disposal in any manner,</i>
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	drugs, in all its aspects and ramifications; (h) assessing, evaluating and registering graduates of chemistry in Nigeria, (i) assessing, evaluating and registering foreign graduates of chemistry who wish to practice in Nigeria, (j) inspecting, regulating and accrediting chemistry departments in Polytechnics and Universities in Nigeria, (k) inspecting, regulating and accrediting chemical laboratories in Nigeria; and (l) performing through the Council established by Section 2 of this Act such other functions as may be conferred on it by this Act."	<i>any form of chemical and chemical products other than drugs, in all its aspects and ramifications;</i> <i>(h) assessing, evaluating and registering graduates of chemistry in Nigeria,</i> <i>(i) assessing, evaluating and registering foreign graduates of chemistry who wish to practice in Nigeria,</i> <i>(j) inspecting, regulating and accrediting chemistry departments together with principal stakeholders (NUC,NBTE) within Polytechnics and Universities in Nigeria,</i> <i>(k) inspecting, regulating and accrediting chemical laboratories together with key stakeholders in Nigeria; and</i> <i>(l)performing through the Council established by Section 2 of this Act such other functions as may be conferred on it by this Act."</i>
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Governing Council of the Institute and Membership, etc. There is hereby established for the Institute a Governing Council of the Institute (in this Act referred to as "the Council") which shall be charged with the responsibility for the administration and general management of the Institute. <i>Institute of Chartered Chemists of Nigeria Act 3</i> (2) The Council shall consist of the following members, that is: the President of the Institute, who shall be the Chairman; the Vice-President of the	Amendment of Section 2 3. Section 2 of the Principal Act is amended by substituting for the new existing section 2(1) and (2), new provisions as follows "2.—(1) There is established for the Institute a Governing Council (in this Act referred to as "the Council") which shall be charged with responsibility of policy formulation, general administration and management of the Institute". (2) The Council shall consist of the following members, 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;	Amendment of Section 2 3. Section 2 of the Principal Act is amended by substituting for the new existing section 2(1) and (2), new provisions as follows: <i>"2.—(1) There is established for the Council a Governing Board (in this Act referred to as "the Council") which shall be charged with responsibility of policy formulation, "which shall be the governing body of the council and shall be charged with general control and superintendent of the policy finance and property of the council.</i> <i>(2) The Board shall consist of the following members, that is—</i> <i>(a) the President of the Council, who shall be the Chairman;</i> <i>(b) the Vice-President of the Council, who shall be the Vice-Chairman;</i> <i>(c) a representative of the Ministry of</i>
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Institute, who shall be the Vice-chairman; a representative of the Ministry of Health; ten persons to be elected by the Institute; 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 of the Institute; two persons to represent institutions of higher learning in Nigeria offering courses leading to approved qualifications, to be appointed by the Minister of Health in rotation; and the Registrar of the Institute who shall also be the secretary to the Council.	(c) a representative of the Ministry of Health who shall be a registered chemist; (d) twelve (12) members of the Institute to be elected by the Institute reflecting the six geo-political zones at the Annual General Meeting (AGM); (e) two members of the Institute to represent institutions of higher learning in Nigeria offering courses leading to approved qualifications, to be appointed by the Minister of Health in rotation; (f) Immediate Past President of the Institute who shall be entitled to serve on the Council for a maximum period of three years from the expiration of his term of office as President of the Institute; (g) the National President of the Chemical Society of Nigeria (CSN);	<i>Health who shall be a registered chemist;</i> <i>(d) Six (6) members of the Institute to be elected by the Council reflecting the six geo-political zones at the Annual General Meeting (AGM);</i> <i>Deleted</i> <i>(f) Immediate Past President of the Council who shall be entitled to serve on the Board for a maximum period of three years from the expiration of his term of office as President of the Council;</i> <i>(g) the National President of the Chemical Society of Nigeria (CSN);</i>
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	(h) a representative of the chemical group Manufacturers ' Association of Nigeria (MAN) who shall be a registered chemist; (i) a representative of the Nigerian armed forces, who shall be a registered chemist to be appointed by the Chief of Defence Staff; (j) a representative of the Nigeria Customs Service who shall be a registered chemist to be appointed by the Comptroller-General of Customs; and (k) The Registrar of the Institute who shall also be the secretary to the Council;"	<i>(h) a representative of the chemical group Manufacturers ' Association of Nigeria (MAN) who shall be a registered chemist;</i> <i>(i) a representative of the Nigerian armed forces, who shall be a registered chemist to be appointed by the Chief of Defence Staff;</i> <i>(j) a representative of the Nigeria Customs Service who shall be a registered chemist to be appointed by the Comptroller-General of Customs; and</i> <i>(k) The Registrar of the Council who shall also be the secretary to the Council;"</i>
Election of President and Vice-President of the Institute (1) There shall be for the	Amendment of Section 3 4. Section 3 of the Principal Act is amended by substituting for the existing section 3(1), new	Amendment of Section 3 <i>4. Section 3 of the Principal Act is amended by substituting for the</i>

Institute a President and a Vice-President who shall be fellows of the Institute, to be elected by the Council and hold office each for a term of two years from the date of election. (2) The President shall be 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 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 2 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	provisions as follows: "3.—(1), There shall be for the Institute a President and a Vice-President who shall be fellows of the Institute, to be elected by the Council and hold office each for a term of three years from the date of inauguration."	<i>existing section 3(1), new provisions as follows:</i> <i>"3.—(1), There shall be for the Council a President and a Vice-President who shall be fellows of the Council, to be elected by the Board from elected members of council and hold office each for a term of three years from the date of inauguration.</i>
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section.		
Institute of Chartered Chemists of Nigeria Act 4. Admission to the Institute (1) Subject to the provisions of this Act, members admitted to the Institute shall be enrolled as chemists in the category of- (i) fellows; or (ii) associate members; or (iii) professional members (b) be registered as chemists or such other classification of chemist as the Institute may, from time to time, determine. (2) A person accorded status as a chemist by the Council established by this Act shall be entitled to the use of the name	Amendment of Section 4 5. Section 4 of the principal Act is amended by substituting for the existing section 4 (1-4), new provisions as follows: "4.(1)—Subject to the provisions of this Act, persons admitted to the Institute shall be registered as Chemists in the category of: i Fellows; ii. Members; iii. Corporate Members; iv. Honorary Fellows; (b) be registered as Chemists or such other classification of Chemists as the Institute may, from time to time, determine. (2) A person accorded status as a Chemist by the Council established by this Act shall be entitled to the use of that name and be registered as-	Amendment of Section 4 <i>5. Section 4 of the principal Act is amended by substituting for the existing section 4 (1-4), new provisions as follows:</i> <i>"4.(1)—Subject to the provisions of this Act, persons admitted to the Institute shall be registered as Chemists in the category of:</i> <i>i. Fellows;</i> <i>ii. Members;</i> <i>iii. Corporate Members;</i> <i>iv. Honorary Fellows;</i> <i>v. Honorary members</i> <i>vi. Graduate members</i> <i>(b) be registered as Chemists or such other classification of Chemists as the Institute may, from time to time, determine.</i> <i>(2) A person accorded status as a Chemist by the Board established by this Act shall be entitled to the use of that name and be registered as-</i>

and be registered as- (a) a fellow if- (i) he has been registered as an associate member of the Institute or has been qualified to be so registered for at least seven years and he satisfies the Council that for a continuous period of ten years immediately preceding the application he has been in practice as a chemist or in partnership with other chemists; and (ii) he is otherwise considered by the Council to be a fit person to be so registered; (b) an associate member if- (i) he has been registered as a professional member of the Institute or has been qualified to be so registered for at least six years immediately preceding the application; and (ii) he is otherwise considered by the Council to be fit person to be registered.	(a) a Member if- (i) he holds a certificate of the examination conducted by the Institute or has any other qualification approved by the council; (ii) he satisfies the provisions of section 8 of this Act; and (iii) he is otherwise considered by the Council to be a fit person to be registered. (b) a Fellow if- (i) he has been registered as a Member of the Institute; (ii) he has satisfied the conditions stipulated by the Council for the award of fellowship; and (iii) he is otherwise considered by the Council to be a fit person to be registered;	<i>(a) a Member if-</i> <i>(i) he holds a certificate of the examination conducted by the Council or has any other qualification approved by the Board;</i> <i>(ii) he satisfies the provisions of section 8 of this Act; and</i> <i>(iii) he is otherwise considered by the Board to be a fit person to be registered.</i> <i>(b) a Fellow if-</i> <i>(i) he has been registered as a Member of the Council;</i> <i>(ii) he has satisfied the conditions stipulated by the Board for the award of fellowship; and</i> <i>(iii) he is otherwise considered by the Board to be a fit person to be registered;</i>
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(c) a professional member if- (i) he has been registered as a chemist and has been in practice as a chemist for a period of at least two years immediately preceding the application; and (ii) he is otherwise considered by the Council to be a fit person to be so registered; (d) an ordinary member if- (i) he holds a certificate of the examination of the Institute or has any other qualification approved by the Council; (ii) he satisfies the provisions of section 8 of this Act; and (iii) he is otherwise considered by the Council to be a fit person to be so registered.	(c) a Corporate member - a corporate body shall be a corporate member if in the opinion of the Council, the corporate body has interests in chemistry and chemical technology among other criteria.	<i>(c) a Corporate member - a corporate body shall be a corporate member if in the opinion of the Board, the corporate body has interests in chemistry and chemical technology among other criteria.</i>
(3) An honorary fellow or honorary member of the Institute shall be a person admitted as such by a resolution of the Council (4) Where a person is enrolled	(3) An honorary fellow of the Institute shall be a person admitted as such by a resolution of the Council. (4) Where a person is enrolled or registered by the Institute, he shall be entitled to the use of such letters after his name as may be authorized	<i>(3) An honorary fellow of the Council shall be a person admitted as such by a resolution of the Council.</i> <i>(4) Where a person is enrolled or registered by the council, he shall be entitled to the use of such letters after</i>

or registered by the Institute, he shall be entitled to the use of such letters after his name as may be authorized by the Council according to whether he is a fellow, associate, professional member or registered chemist and when so enrolled or registered, he shall receive a certificate in such form as the Council may, from time to time, approve.	by the Council according to whether he is a Fellow, Member, Corporate Member and Honorary Member and when so enrolled or registered, he shall receive a certificate in such form as the Council may, from time to time, approve."	<i>his name as may be authorized by the Board according to whether he is a Fellow, Member, Corporate Member and Honorary Member and when so enrolled or registered, he shall receive a certificate in such form as the Board may, from time to time, approve."</i>
6. Appointment of Registrar, etc and Preparation of the Register (1) It shall be duty of the Council to appoint- (a) a fit and proper person who shall be a member of the Institute to be the Registrar for the purposes of this Act; and (b) such other persons as the Institute may, from time to time, think necessary.	Amendment of Section 6 6.-(i) Section 6 of the principal Act is amended by substituting for the existing section 6(1), new provisions as follows: " 6. -(i), It shall be the duty of the Council to appoint: (a) a fit and proper person who shall be a member of the Institute to be the Registrar; and Chief Executive Officer for the purposes of this Act; and (b) such other persons as the Institute may, from time to time, think it necessary	Amendment of Section 6 6(1) Section 6 of the principal Act is Amended by substituting for the existing section 6(1), new provisions as follows: 6.-(1), <i>It shall be the duty of the Board to appoint—</i> <i>(a) a fit and proper person who shall be a member of the Council to be the Registrar; and Chief Executive Officer for the purposes of this Act; and</i> <i>(b) such other persons as the Council may, from time to time, think it necessary</i>

(2) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Council, a register of names, addresses and approved qualifications 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, associate members, professional members, ordinary members, honorary fellows and members who, in the manner prescribed by such rules, apply to be so registered;	(ii) section 6 of the Principal Act is amended by substituting for the existing section 6(2), new provisions as follows: "6.-(2) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Council, (a) a register of names, addresses and approved qualifications 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, Corporate Members, and Honorary Fellows, who, in the manner prescribed by such rules, apply to be so registered; (b) a register of the Premises where members of the profession engage in their professional practices including the handling, analysis, sale, formulation, manufacturing, distribution, mixing, and storage of chemicals and chemical	<i>(ii) section 6 of the Principal Act is amended by substituting for the existing section 6(2), new provisions as follows:</i> <i>"6.-(2) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Board,</i> <i>(a) a register of names, addresses and approved qualifications 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, Corporate Members, and Honorary Fellows, Honorary members, graduate members who, in the manner prescribed by such rules, apply to be so registered;</i> <i>(b) a register of the Premises where members of the profession engage in their professional practices including the handling, analysis, sale, formulation, manufacturing,</i>
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(3) The register shall consist of five parts of which the first part shall be in respect of honorary fellows and members, the second part shall be in respect of fellows, the third part shall be in respect of associate members, the fourth part in respect of professional members and the fifth part in respect of ordinary members.	products." (iii) section 6 of the principal Act is amended by substituting for the existing section 6(3), new provisions as follows: "6. - (3) The register shall consist of five parts of which the first part shall be in respect of members, the second part shall be in respect of fellows, the third shall be in respect of corporate members, the fourth shall be in respect of honorary fellows, and the fifth part in respect of premises."	<i>distribution, mixing, and storage of chemicals and chemical products."</i> <i>(iii) section 6 of the principal Act is amended by substituting for the existing section 6(3), new provisions as follows:</i> <i>"6. — (3) The register shall consist of five parts of which the first part shall be in respect of members, the second part shall be in respect of fellows, the third shall be in respect of corporate members, the fourth shall be in respect of honorary fellows, and the fifth part in respect of premises."</i> <i>(4) Subject to the following provision of this section, the Council may make rules with respect to the form and keeping of the register and making of entries therein and in particular-</i> <i>(a) regulating the making of applications for registration , and providing for the evidence to be produced in support of applications;</i> <i>(b)providing for the notification to the Registrar, by the person to whom any registered particulars relate, of any</i>
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		<i>change in those particulars;</i> <i>(c)authorizing a registered person to have any qualification which is in relation to chemists, either an approved qualification for the purpose of this Act, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;</i> <i>(d) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorizing the Registrar to refuse to enter a name on the register until any fee specified for the entry has been paid.</i> <i>(e) specifying anything failing to be specified under the foregoing provisions of this section.</i> <i>(5) Any rules made for the purposes of paragraph (d) of subsection(4) of this section shall not come into force until they are confirmed at a special meeting of the Institute convened for the purpose or at the next Annual General Meeting, as the case may be.</i>
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(6) (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. (7) If the Registrar-sends by posts 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 six months from the date of posting it; and 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	(iv) By substituting the words "annual subscriptions" in Section 6 (6) paragraph (c), the words "practicing fees" (v) Section 6 of the principal Act is amended by substituting section 6 (7) paragraph (a), new provisions as follows: "6.-(7) If the Registrar: (a) sends by posts to any registered person a registered letter or electronic transmission 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 six months from the date of posting; and"	(c) to record the names of members of the Institute who are in default for more than six months in the payment of Practicing fees, and take such action in relation thereto (including removal of the names of defaulters from register) as the Council may direct or require. <i>(v) Section 6 of the principal Act is amended by substituting section 6 (7) paragraph (a), new provisions as follows:</i> <i>"6.-(7) (a)sends by posts to any registered person a registered letter or electronic transmission 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 six months from the date of posting; and"</i>
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relating to the person in question from the register: Provided 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		<i>(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:</i> <i>Provided 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</i>
9. Approval of Qualifications etc (1) The Council may approve any qualification for the purposes of this Act and may for those purposes approve- (a) any course of training at an approved institution which is intended for persons who are seeking to become or are already Chemists and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for practice as a chemist;	Amendment of Section 9 7. Section 9 of the Principal Act is amended by substituting for the existing section 9(1-4), new provisions as follows: "9. -(1) The Council may accredit any institution for that purpose of this Act, and may for that purpose approve: (a) any course of training in chemistry at an accredited institution which is intended for persons who are seeking to become or are already chemists and which the Council considers is designed to confer on persons undergoing it sufficient knowledge and skill as a chemist;	Amendment of Section 9 <i>7. Section 9 of the Principal Act is amended by substituting for the existing section 9(1-4), new provisions as follows:</i> <i>"9. -(1) The Board may accredit any institution for that purpose of this Act, and may for that purpose approve-</i> <i>(a) any course of training in chemistry at an accredited institution which is intended for persons who are already chemists and which the Council considers is designed to confer on persons undergoing it sufficient knowledge and skill as a chemist;</i>

(b) any qualification which, as a result of examination taken in conjunction with the 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 practice as a chemist. (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 approval the Council shall- give notice that it proposes to do so to persons in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is	(b) any qualification which, as result of examination taken in conjunction with a course of training in chemistry approved by the Council under this section, is granted to candidates attaining a standard at the examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill for practice as a chemist; (c) any institution in Nigeria which the Council considers properly organized and equipped for conducting the whole or any part of a course of training approved by the Council under this section. (2) The Council may, if it thinks fit, withdraw any approval or accreditation given under this section in respect of any course, qualification or institution but before withdrawing such approval or accreditation, the Council shall: (a) give notice that it proposes to do so to all parties to be affected by the action; (b) afford the parties an opportunity of making representations to the Council with regard to the proposal; and	<i>(b) any qualification which, as result of examination taken in conjunction with a course of training in chemistry approved by the Board under this section, is granted to candidates attaining a standard at the examination indicating in the opinion of the Board that the candidates have sufficient knowledge and skill for practice as a chemist;</i> <i>(c) any institution in Nigeria which the Board considers properly organized and equipped for conducting the whole or any part of a course of training approved by the Council under this section.</i> <i>2.The Board may, if it thinks fit, withdraw any approval or accreditation given under this section in respect of any course, qualification or institution but before withdrawing such approval or accreditation, the Board shall-</i> <i>(a) give notice that it proposes to do so to all parties to be affected by the action;</i> <i>(b) afford the parties an opportunity of making representations to the Board with regards to the proposal; and</i>
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controlled, as the case may be; afford each such person an opportunity of making to the Council representations with regard to the proposal; and take into consideration any representations 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 the approval was withdrawn.	(c) take into consideration any representations made in respect of the proposal pursuant to paragraph (b) of this subsection. (3) In respect any period during which the approval or accreditation 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 or accreditation, was registered or eligible for registration immediately the approval or accreditation was withdrawn.	<i>(c) take into consideration any representations made in respect of the proposal pursuant to paragraph (b) of this subsection.</i> <i>(3) In respect any period during which the approval or accreditation of the Board 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 or accreditation, was registered or eligible for registration immediately the approval or accreditation was withdrawn.</i>
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(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 <i>Gazette</i>; and (b) not later than seven days before its publication, send a copy of the instrument to the Minister of Health.	(4) The giving or withdrawal of an approval or accreditation 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 or accreditation, 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 <i>Gazette</i>; and (b) not later than seven days before its publication, send a copy of the instrument to the Minister of Health."	<i>(4) The giving or withdrawal of an approval or accreditation 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 or accreditation, as the Board may specify in the instrument and the Board shall-</i> <i>(a) as soon as may be, publish a copy of every such instrument in the Gazette; and</i> <i>(b) not later than seven days before its publication, send a copy of the instrument to the Minister of Health."</i>
Establishment of Disciplinary Tribunal and Investigating Panel 11. (2) The Tribunal shall consist of the President of the Council and six other members of the Council appointed by the Council.	Amendment of Section 11 8. Section 11 of the Principal Act is amended by substituting for the existing Section 11(2), new provision as follows: "11.-(2) The Tribunal shall consist of the Chairman of the Council and six other members of the Councils appointed by the Council."	Amendment of Section 11 8. <i>Section 11 of the Principal Act is amended by substituting for the existing Section 11(2), new provision as follows:</i> <i>"11.-(2) The Tribunal shall consist of the Chairman of the Council and six other members of the Councils appointed by the Council."</i>

13. Application of Act to unregistered persons (1) Any person not being a member of the Chemical Society of Nigeria who, but for this Act, would have been qualified to apply for and obtain membership of the Chemical Society of Nigeria may, within a period of three months from the commencement of this Act, apply for the 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 enrolled or registered, as the case may be, according to his qualification.	Amendment of Section 13 9. Section 13 of the Principal Act is amended by substituting for the existing "13.-(1) and (2), new provisions as follows: "13.-(1) No person shall practice as a chemist in any year unless he has paid to the Institute in respect of that year, the appropriate practicing fee which shall be determined by the Council and the appropriate practicing fee shall be due every January of each year. (2) A registered chemist who has paid his practicing fee as prescribed in subsection (1) of this section shall be entitled to an annual practicing license authorizing him subject to any regulations in force to perform any of the acts listed in Section 14 subsection 1 of this Act. (3) Any Chemist who in respect of any year without paying the practicing fee practices as such is guilty of an offence and is liable on conviction;	Amendment of Section 13 9. <i>Section 13 of the Principal Act is amended by substituting for the existing</i> <i>"13.-(1) and (2), new provisions as follows:-</i> <i>"13.-(1) No person shall practice as a chemist in any year unless he has paid to the Council in respect of that year, the appropriate practicing fee which shall be determined by the Board and the appropriate practicing fee shall be due every January of each year.</i> <i>(2) A registered chemist who has paid his practicing fee as prescribed in subsection (1) of this section shall be entitled to an annual practicing license authorizing him subject to any regulations in force to perform any of the acts listed in Section 14 subsection 1 of this Act.</i> <i>(3) Any Chemist who in respect of any year without paying the practicing fee practices as such is guilty of an offence and is liable on conviction;</i>
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	(a). in the case of a first offence to a fine or twice the prescribed practicing fee; and (b). in the case of second or subsequent offence to a fine of not less than ten times the prescribed practicing fee and if the chemist, is in the employment of any person, the employer is also guilty of an offence punishable in like manner as the chemist, if it is proved that the failure to pay the practicing fee was with his knowledge, consent and connivance."	<i>(a)in the case of a first offence to a fine or twice the prescribed practicing fee; and</i> <i>(b) in the case of second or subsequent offence to a fine of not less than ten times the prescribed practicing fee and if the chemist, is in the employment of any person, the employer is also guilty of an offence punishable in like manner as the chemist, if it is proved that the failure to pay the practicing fee was with his knowledge, consent and connivance."</i>
14. When persons are deemed to practise as members of the profession (1) Subject to section (2) of this section, a person shall be deemed to practise as a chemist if, in consideration of remuneration to be received, and whether by himself or in partnership with any person, he- (a) engages himself in the practice of chemists or holds	Amendment of Section 10 10. Section 14 of the Principal Act is amended by substituting for the existing sections 14 (1) (a-c),14(2), new provisions as well as introduce new subsection (3-5) as follows: "14.-(1) A person or corporate body shall be deemed to practice as a chemist if, in consideration of remuneration to be received, and whether by himself or in partnership with any person or corporate body, he:	Amendment of Section 10 <i>10. Section 14 of the Principal Act is amended by substituting for the existing sections 14 (1) (a-c),14(2), new provisions as well as introduce new subsection (3-5) as follows:</i> <i>"14.-(1) A person or corporate body shall be deemed to practice as a chemist if, in consideration of remuneration to be received, and whether by himself or in partnership with any person or corporate body, he-</i>

himself out to the public as a chemist; or (b) renders professional service or assistance in or about matters of principle or detail relating to chemists;	(i) engages in chemical processes capable of affecting the environment and consumers' health; (ii) engages in the physico-chemical analysis of water, food, drugs, chemicals, cosmetics, medical devices and related products;	<i>(i) engages in chemical processes capable of affecting the environment and consumers' health;</i> <i>(ii) engages in the physico-chemical analysis of water, food, drugs, chemicals, cosmetics, medical devices and related products;</i>
(c) renders any other service which may by regulations made by the Council, with the approval of the Minister of Health, be designated as service constituting practice as a chemist.	(iii) engages in chemical data analysis; (iv) engages in the analysis, formulation and synthesis of any form of chemical and chemical products in all its ramifications; (v) engages in the audit of chemicals; (vi) engages in the classification of chemicals and their uses; (vii) engages in the certification of imported and exported chemicals; (viii) engages in the application for chemical import permit; (ix) engages in the invention, research, marketing, stocking, distribution, exportation, importation, sale, advertising, management, disposal or handling in any manner, any form of chemical and chemical products other than drugs in all its aspects and ramifications;	<i>(iii) engages in chemical data analysis;</i> <i>(iv) engages in the analysis, formulation and synthesis of any form of chemical and chemical products in all its ramifications;</i> <i>(v) engages in the audit of chemicals;</i> <i>(vi) engages in the classification of chemicals and their uses;</i> <i>(vii) engages in the certification of imported and exported chemicals;</i> <i>(viii) engages in the application for chemical import permit;</i> <i>(ix) engages in the invention, research, marketing, stocking, distribution, exportation, importation, sale, advertising, management, disposal or handling in any manner, any form of chemical and chemical products other than drugs in all its aspects and</i>

	(x) engages in the training or teaching in or about matters relating to chemistry in institutions of higher learning; (xi) owns and operates chemical laboratory for commercial purposes; (xii) renders professional service or assistance in or about matters of principles or detail relating to Chemists as contained in this section; and (xiii) 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 Chemist;"	<i>ramifications;</i> <i>(x) engages in the training or teaching in or about matters relating to chemistry in institutions of higher learning;</i> <i>(xi) owns and operates chemical laboratory for commercial purposes;</i> <i>(xii) renders professional service or assistance in or about matters of principles or detail relating to Chemists as contained in this section; and</i> <i>(xiii) 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 Chemist;"</i>
(2) Nothing in this section shall be construed so as to apply to persons who, while in the employment of any government or person, are required under	14.-(2) Subject to the provision of this Act, no person not being a fully registered chemist under this Act shall be entitled to hold any appointment in the Public Service of the Federation or state or any public or private	<i>14.-(2) Subject to the provision of this Act, no person not being a fully registered chemist under this Act shall be entitled to hold any appointment in the Public Service of the Federation or</i>

the terms or in the course of such employment, to perform the duties of a chemist.	establishment, body or institution, if the holding of such appointment involves the performance by him in Nigeria, any of the acts listed in subsection 1 of this section or any act pertaining to the chemistry profession for gain or remuneration. 14.-(3) If any person who is not a member of the Institute practices as a chemist or engages in any of the acts listed in Section 14(1) or uses any name, title, addition or description implying that he is in practice as a chemist, guilty of an offence. 14.-(4) A person guilty of an offence under subsection 3 of section 14 is liable: (a) on summary conviction, to a fine of an amount not exceeding N150, 000; or (b) on conviction or indictment, to a fine of an amount not exceeding N500, 000 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment. 14.-(5) Where an offence under this section has been committed by a body corporate and is proved to have been committed with the consent or connivance of or 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	<i>state or any public or private establishment, body or institution, if the holding of such appointment involves the performance by him in Nigeria, any of the acts listed in subsection 1 of this section or any act pertaining to the chemistry profession for gain or remuneration.</i> <i>14.-(3) If any person who is not a member of the Institute practices as a chemist or engages in any of the acts listed in Section 14(1) or uses any name, title, addition or description implying that he is in practice as a chemist, guilty of an offence.</i> <i>14.-(4) A person guilty of an offence under subsection 3 of section 14 is liable-</i> <i>(a) on summary conviction, to a fine of an amount not exceeding N150, 000; or</i> <i>(b) on conviction or indictment, to a fine of an amount not exceeding N500, 000 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.</i> <i>14.-(5) Where an offence under this section has been committed by a body corporate and is proved to have been committed with the consent or connivance of or attributable to any neglect on the part of any director,</i>
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	such capacity, he, as well as the body corporate, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly."	<i>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 guilty of the offence and shall be liable to be proceeded against and punished accordingly."</i>
15 Rules as to articles, etc (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 for fellows, associate members, professional members, ordinary members, honorary fellows and members of the Institute; (c) restricting the right to practise as a chemist if 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;	Amendment of Section 11 11. Section 15 of the Principal Act is amended by substituting for the existing section 15(2)(a) and (c), new provisions. (a) for the words annual subscription, the words "practicing fee" (c) for the words annual subscription, the word "practicing fee"	Amendment of Section 11 11. (2) The Council may also make rules (a) prescribing the amount and date for payment of the annual practicing fees and for such purposes, different amounts may be prescribed by the rules for Fellows, associate members, professional members, ordinary members, honorary fellows and members of the Institute; (c) restricting the right to practice as a chemist in default of payment of the amount of the practicing fees where the default continues for longer than such period as may be prescribed by the rules;

19. Offences and penalties (2) If, on or after the relevant date, any person who is a member of the Institute practises as a chemist for or in expectation of reward or takes or uses any name, title, addition or description implying that he is in practice as a chemist, he is guilty of an offence (3) In the case of a person falling with section 13 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 to anything done by him between	Amendment of Section 12 12. Section 19 of the principal Act is amended by deleting the phrase "if, on or after the relevant date" in subsection 2, and substitute for the existing section 19(3), new provisions as follows: "A member shall not hold himself out as a Fellow or use any name, title, addition, or description implying that he is a Fellow unless he is entitled to do so"	Amendment of Section 12 <i>12. Section 19 of the principal Act is amended by deleting the phrase if, on or after the relevant date" in subsection 2, and substitute for the existing section 19(3), new provisions as follows:</i> <i>"A member shall not hold himself out as a Fellow or use any name, title, addition, or description implying that he is a Fellow unless he is entitled to do so"</i>
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the end of that period and the date on which he is registered or is notified as aforesaid. (5) A person guilty of an offence under this section is liable- (a) on summary conviction, to a fine of an amount not exceeding N1,000; or (b) on conviction on indictment, to a fine of an amount not exceeding N5,000 or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.	(i) by substituting in paragraphs (a-b) of section 19 the following subsection 5 (a) the amount N1000 with the amount N150,000; (b) the amount N5000 with the amount N500,000 .	<i>(i)by substituting in paragraphs (a-b) of section 19 the following subsection 5</i> <i>(a) the amount N1000 with the amount N150, 000;</i> <i>(b) the amount N5000 with the amount N500, 000 .</i> <i>or any amount may be approved by the institute from time to time</i>
20. Interpretation In this Act, unless the context otherwise requires - "member" means a fellow, associate member, professional	Amendment of Section 20 13. Section 20 Of the Principal Act is amended (i) by substituting the interpretation of the word "member" in 4 with the following: "member" means a Fellow, Member, Corporate Member or Honorary Fellow of the Council"	Amendment of Section 20 13. Section 20 Of the Principal Act is amended <i>(i) by substituting the interpretation of the word "member" in 4 with the following:</i> <i>"member" means a Fellow, Member,</i>

member, ordinary member, honorary fellow or member of the Institute.	(ii) by adding a new interpretation of the word "Chemist" as follows: "Chemist" means a person or corporate body duly registered under the provisions of this Act to perform any of the acts listed in Section 14 (1) of this Act	<i>Corporate Member or Honorary Fellow of the Council"</i> <i>(ii) by adding a new interpretation of the word "Chemist" as follows: "Chemist" means a person or corporate body duly registered under the provisions of this Act to perform any of the acts listed in Section 14 (1) of this Act</i>
21. Short title This Act may be cited as the Institute of Chartered Chemists of Nigeria Act.	Short title 14.This Bill may be cited as the Chemists Council of Nigeria Act (Amendment) Bill, 2017	Short title 14.This Bill may be cited as the Chemists Council of Nigeria Act (Amendment) Bill, 2019
FIRST SCHEDULE [Section 2 (3).] Supplementary provisions relating to the Council and the Institute Qualifications and tenure of office of members		Amendment of the First Schedule: <i>The First Schedule of the Principal Act is amended as follows-</i> <i>(i) by substituting the phrase "from the date of his appointment or election" in Paragraph 1 subparagraph 1 with the phrase "with the date of his inauguration"</i> <i>(ii) by deleting the existing provisions of Paragraph 1 subparagraph 5; and substitute instead</i>

1. (1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of three 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 three 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 on the Council. 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		<i>new provisions as follows:</i> <i>"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 reappointed for a maximum period of two terms"</i> <i>(iii) by substituting the date "30 April" in paragraph 5 sub-paragraph 1 with the date "30 November"</i> <i>(iv) by deleting the existing paragraph 5 sub-paragraph 3 and substitute instead a new paragraph 5 sub-paragraph 3 as follows:</i> <i>"The quorum of any meeting of the Institute shall be a hundred members and that of any special meeting of the Institute shall be seventy members."</i> <i>(v) by deleting paragraph 6 sub-</i>
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Institute make standing orders regulating the proceedings of the Institute, the Councillor any of the Council's or Institute's committees. (2) The 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) The standing orders made for a committee shall provide that the committee reports back to the Council on any matter within its competence to decide. (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 5. (1) The Council shall		<i>paragraph 4.</i>
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convene the annual 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 annual 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		
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6. (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 members 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 fit; but a person who is a member by virtue of this sub-paragraph shall not be		
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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 7. (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 of the Council and a person other than a		
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member of the Council shall hold office on the committee in accordance with the terms of the letter 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 Institute shall be authenticated by the signature of the President of the Institute 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		
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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. 9. The validity of any proceeding of the Institute or the Councillor 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 Councillor 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. 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		
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entered into or proposed to be considered by the Council on behalf of the Institute, or on behalf of the Councillor a committee thereof, shall forthwith disclose his interest to the President of the Institute or to the Council, as the case may be, and shall not vote on any question relating to the contract or arrangement		
	EXPLANATORY MEMORANDUM This Bill seeks to amend the Institute of Chartered Chemists of Nigeria Act Cap 1112 laws of the Federation of Nigeria 2004 to provide for the role of the chemist, to regulate the practicing fees of duly registered members of the Institute in Nigeria and for Related Matters.	EXPLANATORY MEMORANDUM <i>This Bill seeks to amend the Institute of Chartered Chemists of Nigeria Act Cap 1112 Laws of the Federation of Nigeria 2004 to provide for the establishment of the Chemist Council of Nigeria, the role of the chemist, to regulate the practicing fees of duly registered members of the Institute in Nigeria and for Related Matters.</i>

HON. CHIKE JOHN OKAFOR
CHAIRMAN

JOYCE UMOREN
DD/COMMITTEE CLERK