A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PROJECT MANAGERS OF NIGERIA TO BE CHARGED WITH THE RESPONSIBILITY FOR REGISTRATION AND DISCIPLINE OF ITS MEMBERS; AND FOR RELATED MATTERS. HB. 18

Provisions of the Bill	Committee of the Whole Recommendations
PART I ESTABLISHMENT OF CHARTERED INSTITUTE OF PROJECT MANAGERS OF NIGERIA, ITS FUNCTION, ETC. **Establishment of the Chartered Institute of Project Managers of Nigeria and its functions, etc.** 1-(1) There is established a body to be known as the Chartered Institute of Project Managers 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 – (a) determining and reviewing, from time to time, the academic standards, knowledge and skills that shall be attained by persons seeking to qualify as registered members of the Chartered Institute of Project Managers of Nigeria (in this Act referred to as "the Professional"); (b) ensuring that its members maintain a reputable and high standard of behavior expected of any professional project management or related management function in Nigeria and other parts of the world; (c) providing for the training, education and examination of persons desiring to become professional project manager or consultant according to the provisions of this Act whether in Nigeria or abroad; (d) regulating the discipline and professional conduct of its members; (e) promoting and projecting the welfare of its members both in Nigeria and abroad; (f) arranging conference, seminars, symposia and meeting for discussion of supplies and related matters, reading of papers and delivery of lectures, publishing copies of abridgement of papers, books, lectures, records and other memoranda instilling high standard of professional ability and knowledge by	Retained

means of periodic issue of journals of the Institute and to organize post qualification courses for its members; and (g) performing such functions as are incidental to the objects or as the Council may deem necessary for the attainment of all or any of these objects. (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 movable or immovable. (4) The Institute shall, accordance with the provisions of this Act, ensure the establishment and maintenance of a register of Fellows, Honorary Fellows, Chartered, Graduate, Associate and corporate members of the institute and the publication of their lists from time to time.	
Establishment and composition of the governing council of the Institute **2**-(1) There is established for the Institute, a governing council (in this Act referred to as the "the Council") which shall be charged with the responsibility for the administration and general management of the Institute. (2) The Council shall consist of the following members, who are Fellows and Chartered Members of the Institute: (a) Chairman of the Governing Council of the Institute; (b) a President of the Institute; (c) the two Vice-President of the Institute; (d) a representative each of the Federal Ministry of.... (i) Finance; (ii) Works and Housing; (iii) Education; (e) two representatives of the Nigeria Association of Chambers of Commerce, Industry Mine and Agriculture (NACCIMA);	Retained

(f) a co-ordinator from each of the geo-political zones of the Federation; (g) immediate past President of the Institute; (h) a Registrar of the Institute, who shall also be the Secretary of the Council. (3) The provisions set out in the First Schedule to this Act shall have effect with respect to the qualifications and tenure of Office of members of the Council and other matters therein mentioned.	
Appointment of the Chairman of the Governing Board of the Institute **3.**There shall be for the Institute, a Chairman of the Governing Council who shall be the pioneer President of the institute to be appointed on that sole basis and shall hold office for an unlimited period except otherwise resigned, dead, or permanently incapacitated.	Retained
Election of President and Vice-Presidents of the Institute **4.** There shall be for the Institute a President, and two Vice Presidents, who shall be Chartered Members of Fellows of the Institute, to be elected by the Chartered Members at an annual general meeting and hold Office each for a term of two years from the date of election and shall not be eligible for re-election after two terms of two years each.	Retained
Admission to the Institute, classes of members and recognition of national service **6-**(1) Subject to the provisions of this Act, a person or body admitted to the Institute shall possess adequate knowledge of project management and be registered as a member of the Institute in the category of- (a) Fellow; (b) Honorary Fellow; (c) Chartered Member; (d) Graduate Member; (e) Associate Member; (f) Corporate Member; and (g) Student Member	Retained

(2) A person or body accorded by the Council the status of a member shall be enrolled as-

(a) a Fellow, if he is a member of high professional or administrative standing who…

(i) has served the Institute and had not less than Seven (7) years experience in a senior project management post in a private or public organization at the time of this application or enrolment; or

(ii) is not currently engaged in project management but has been employed in senior management position in private or public organization for not less than Seven (7) years;

(b) Chartered Member if-

(i) he has passed all the examinations prescribed by the Council, and has a minimum of three years continuous working experience in project management in any private or public organization; or

(ii) he is a chartered member of a foreign project management professional body recognized by the Council and his class of the membership is, in the opinion of the Council equivalent to that of membership of the Institute and he has a minimum of one year working experience in any private or public organization in Nigeria, and shall have passed a stipulated examination before enrolment;

(iii) he has updated his professional knowledge at least once in a year through the Institute's mandatory proficiency programme; or

(iv) he is eligible for election into any position in the Institute and has paid his fees for four consecutive years immediately preceding the year of election;

(c) Graduate Member, if he is in possession of requisite academic qualification and has passed all the examinations prescribed by the Council;

(d) Associate Member if he is in possession of requisite qualifications from other fields of study as may be determined from time to time by the Council and he shall

not be eligible to vote or be voted for at elections of the Institute;
(e) Honorary Fellow if he is a person of distinction in the field of project management, law, accounting, politics, economy, management, engineering or any similar discipline, but he shall not be eligible to vote or be voted for at any election of the institute;
(f) Corporate Member if it is an employer of labour and meets the criteria set by the Council for registration in that category; and
(g) Student Member if he is pursuing a course in project management in any institution approved by the Council but …
(i) he shall not be eligible to vote or be voted for at elections of the Institute; and
(ii) his name shall not appear in the membership registrar.
(3) For the purpose of subsection (2) (f) of this section, all corporate members shall cause their staff in project management functions to register with the institute to foster their ethical standards and self-regulation in the project management profession.
(4) A person who desires to be admitted into the Institute shall make a formal application to the Registrar of the Institute on the appropriate form as shall, from time to time, be prescribed by the Council and shall state under what class of membership he seeks admission.
(5) A person applying for membership shall, in addition to evidence of qualification satisfy the Council that…
(a) he is of good character; and
(b) he has not been convicted by any court of tribunal in Nigeria or elsewhere of an offence involving fraud or dishonesty, or such other offences as, in the opinion of the Council, would render the applicant unfit to be a member of the Institute.
(6) The Registrar shall place before the Council all applications for admission stating in each case whether the applicant is qualified for registration in the class under which he seeks admission and if not so qualified,

whether he qualifies for admission under other class. (7) Where the Council satisfied that the person is qualified for admission… (i) under the class for which he applied, the Registrar shall, upon payment of the prescribed fees by the applicant, enroll the person in that class, and issue him a certificate of membership appropriate for that class; and (ii) into another class other than for which he applied, the Registrar shall, upon the person's application, amend his application to state the class under which he is qualified and the Registrar shall, after the amendment and upon payment of the prescribed fees by the applicant, register him and issue a certificate of membership appropriate for that class. (8) Fellows and Chartered Members of the Institute shall be entitled to use after their names the word "Fellow (or Honorary Fellow) of the Chartered Institute of Project Managers of Nigeria" respectively or the initial "CFPM" and "CMIPM" (9) The categories of professional membership of the institute shall include the following and such members are entitled to use after their names the accompanied word as follows: Certified Project Manager Technician (CPMT); Associate (CAPM); Fellow (CFPM); Student Member (CSPM); Certified Business Project Manager (CBPM) ; Certified Professional Project manager (CPPM) (10) At the completion of the Institute's final professional examination and eligible student shall proceed for the National youth Service in line with the relevant law establishing it. (11) A holder of the final professional certificate of the Institute shall be entitled to employment in private and public service on the same rank applicable members of other chartered professional bodies in Nigeria. (12) A holder of the final professional certificate of the Institute shall, after 3years of	

graduation, be eligible for a practicing certificate as a "Chartered Project Manager" on satisfying the Institute's requirement by attending two consecutive mandatory professional assessment course, at least once in a year and the certificate is subject to renewal every year, on a fee to be determined by the Council.	
PART II FINANCIAL PROVISION 7. **Funds of the Institute** (1) There shall be established for the Institute a fund which shall be managed and controlled by the Council. (2) There shall be paid into the fund established pursuant to subsection (1) of this section - (a) all fees and other monies payable to the Institute; (b) such monies as may be payable to the Institute whether in the course of the discharge of its functions or otherwise; and (c) suchmonies as may be held by the Institute of Project Managers of Nigeria incorporated under the Companies and Allied Matters Act, 1990 (in this Act referred to as "the Incorporated Institute") on its ceasing to exist as provided in this Act. (3) There shall be paid out of the fund of the Institute- (a) all expenditure incurred by the Council in the discharge of its functions under this Act; (b) the salaries and allowances of the Registrar and other employees of the Institute; and (c) such reasonable travelling and subsistence allowances of members of the Council in respect of the time spent on official duties of the Council, as the Council may determine. (4) Subject to guidelines issue by the Council from time to time, the Institute's funds and assets shall be invested in any bond, bill or other security issued or guaranteed by the	Retained

Federal Government or the Central Bank of Nigeria. (5) The Council may, from time to time, borrow money for the purposes of the Institute and may mortgage or charge the properties and assets of the Institute or any part thereof and may issue debenture and other securities whether outright or as securities for any debt, liability or obligation of the Institute and any interest or charge payable on monies so borrowed shall be paid out of the fund of the Institute. (6) The Council shall kept proper accounts on behalf of the Institute in respect of each year and proper records in relation to those accounts to be audited by an auditor and in accordance with the guidelines supplied by the Auditor-General of the Federation. (7) The auditor, appointed for the purpose of this section, shall not be a member of the Council. (8) The Council shall prepare and submit to the Minister of Commerce not later than twelve months after its establishment and once in each year thereafter, a report of the activities of the Council in the previous year and shall include in the report, a copy of the auditor's report.	
Transfer to the institute of certain properties, etc. **8-**(1) As from the commencement of this Act- (a) all assets and liabilities held or incurred immediately before the commencement date, by or on behalf of the incorporated Institute shall vest in the Institute and be held by it for the purpose of the Institute; (b) the Incorporated Institute shall cease to exist; and (c) subject to subsection (2) of this section, any act, matter or thin made or done by the Incorporated Institute shall be deemed to have been done by the Institute. (2) The provisions of the Second Schedule to this Act shall have effect with respect to the matters arising from their transfer by this	Retained

section to the Institute of the properties of the Incorporated Institute and with respect to other matters mentioned in that Schedule.	
PART III APPOINTMENT OF REGISTRAR AND OTHER STAFF AND THEIR DUTIES **Appointment of Registrar and other staff and their duties** **9**-(1) The Council shall … (a) appoint a fit and proper person who shall be a member of the Institute to be the Registrar for the purpose of this Act; and (b) appoint such other persons as the Council may, from time to time, deem necessary to assist the Registrar in the performance of his functions under this Act. (2) A person shall be qualified to be appointed to the Office of the Registrar of the Institute if he- (a) is a citizen of Nigeria; (b) possesses a relevant qualification from a recognized institution of higher learning; (c) has at least 12 years cognate experience; and (d) Possesses professional qualification of- (i) Chartered Institute of Project Managers of Nigeria; (ii) Certified Institute of Project Managers, London; or (iii) National Association of Project Managers, USA) and shall have held the position of Deputy Registrar in any recognized Institution. (3) The Registrar shall prepare and maintain, in accordance with rules made by the Council, a register of names, address and approved qualifications and of such particulars, as may be specified in the rules, of all persons who are entitled, in accordance with the provision of this Act, to be registered as member of the profession in the categories of Fellows, Chartered Members, Associate Members or Honorary Members and who in the manner prescribed by such rules, by such rules, apply to be so registered.	Retained

(4) The register shall consist of six parts, one for each class of membership namely-
(a) Fellows;
(b) Chartered Members;
(c) Graduate Members;
(d) Associate Members;
(e) Corporate Members; and
(f) Honorary Fellows.
(5) Subject to this section, the Council shall make rules to necessary professional forms and keeping of the register and the making of entries of particulars therein…
(a) regulating the making of applications for enrolment or registration, as the case may be and providing for the nature of evidence to be produced in support of applications;
(b) providing for the notification to the Registrar by the person to whom any registered particulars concern, of any change in those particulars;
(c) authorizing a registered member to have any qualification which is in relation to the relevant division of the profession, for the purpose of this Act;
(d) specifying the fees, including annual subscription, to be paid in the Institute; and
(e) Specifying anything failing to be specified under this section.
(6) Any rule for the purpose of subsection (5) (d) of this section shall not come into force until they are confirmed at a special meeting of the Institute convened for the purpose at the next annual general meeting, as the case may be.
(7) The Registrar shall-
(a) correct, in accordance with the directions of the Council, any entry in the register which the Council directs him to correct as being in the opinion of the Council an entry which was incorrectly made;
(b) make, from time to time, any necessary alteration to the registered particulars of registered persons;
(c) delete from the register the name of any registered member who died, or ceased to be a

member or any member convicted of professional misconduct; and (d) record the names of member of the Institute who are in default for more than six months in the payment of annual subscriptions and take such action in relation thereto as the Council may direct or require. (8) If the Registrar- (a) sends by post, e-mail, telephone or fax to any registered person, a registered letter endorsed to him at his address on the register inquiring whether the registered particulars relating to him are correct and receives no reply to the letter within a period of six months from the date of dispatch; and (b) upon the expiration of that period, sends in like manner to the person in questions a second similar letter and receives no reply to that letter within three months from the date of dispatch, the Registrar may remove the particulars relating to the person in question from the register but the Council may, for a reason which seems to it to be sufficient, direct the Registrar to restore to the appropriate part of the register, any particular deleted therefrom under this subsection.	
Publication of registers of Fellows and Chartered Members 10-(1) The Registrar shall- (a) cause the first edition of the register to be printed, published and put on sale to members of the public within one year from the date of commencement of the Act; (b) cause the first and subsequent editions of the register to be distributed to the members of the Institute and members of the public on such terms as the Council may from time to time decide; and (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Institute and the Registrar shall make the register and lists so deposited available at all reasonable times for inspection by members of the public.	Retained

(2) A document purporting to be a print of an edition of the register published under this section by authority of the Register, or edition of a register so published and of the list of corrections to that edition so published, shall (without prejudice to any other mode of proof) be documents read together to prove that a member of the Institute was so registered at the date of the edition or the list of corrections, as the case may be, and that any person not so named was not so registered. (3) Where in accordance with subsection (2) of this section, a person in any proceeding, shown to have been, or not to have been, registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings having at all material times thereafter continued to be or not to be so registered.	
Qualification for appointment and duties of Deputy Registrar **11-**(1) There shall be- (a) a Deputy Registrar (Academic); (b) a Deputy Registrar (Administration); (c) a Deputy Registrar (Planning, Research and Development). (2) A person shall be qualified to be appointed to the Office of the Deputy Registrar if he has met the criteria for the post of the Registrar except that the minimum years of experience required shall be 10years. (3) The duties of Deputy Registrar shall be assigned to him by the Council through the Registrar from time to time.	Retained
PART IV REGISTRATION OF MEMBERS **12. Registration of members** (1) Subject to section 5 of this Act, a person shall be entitled to be registered as a member of the profession if he satisfies the Council that- (a) immediately before the commencement of this Act, he holds a qualification approved for members of the Institute and has the prescribed post qualification experience;	Retained

(b) he is by law entitled to practice for all purposes as a project management practitioner in the country in which the qualification was granted; and (c) he holds at least one of the qualifications prescribed for the purpose of registration on the register and has complied with the other requirements prescribed under this Act. (2) A person shall be entitled to be registered under this Act if he holds such certificate as approved by the Council. (3) A person shall be entitled to be accredited as a member of the Institute if he produces sufficient evidence to the Council that prior to the commencement of this Act he has been in active practice continuously for a period of five years as a project manager; provided that his application is sponsored by two member of the Institute who shall have been members for a minimum of five years and the application is made within the period of prescribed by this Act. (4) An applicant for registration under this Act shall, in addition to evidence of qualification, satisfy the Council that he- (a) is of good character; (b) has attained the age of 18 years; and (c) has not been convicted by any court or tribunal in Nigeria or elsewhere for an offence involving fraud or dishonesty. (5) The Council may, in its discretion, provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified. (6) Any entry directed to be made in the register under subsection (3) of this section, shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that behalf. (7) The Council shall, from time to time, publish, in the Federal Government Gazette,	

particulars of qualification for the time being accepted for registration under this Act. (8) The project management professionals from abroad who reside in Nigeria and wish to practice shall, within 12 months after the commencement of this Act, seek registration with the Institute to become members. (9) A person shall not be entitled to be appointed or engaged to head any project management of any organization unless he is duly registered as a member of the Institute qualified by examination or approved award.	
Approval of qualification **13**-(1) The Council may approve any qualification for the purposes of this Act and may for that purpose approve- (a) any course of training of any approved institution which is intended for persons who are seeking to become or are already project management professionals and which the Council considers relevant to confer on persons completing it, sufficient knowledge and skill for admission to be Institute; and (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates reaching a specific standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice purchasing and supply management. (2) The Council may, if it deems fit, withdraw any approval, given under this section in respect of any course, qualification or institution, but before withdrawing such an approval the Council shall- (a) give notice that it proposes to do so to persons in Nigeria appearing to the Council to be persons by whom the course is conducted or the qualification is granted or the institution is controlled as the case may be; (b) afford such persons or institutions an opportunity to make to the Council, representations with regards to the proposal; and	Retained

(c) take into consideration any representation made in relation to the proposal in pursuance of paragraph (b) of this subsection. (3) During a period in which the approval of the Council under this section a course, qualification or institution is withdrawn, the course, qualification or institution shall be treated as having been withdrawn under this section, but the withdrawal of such an approval shall be without prejudice to the registration or eligibility for registration immediately before the approval was withdrawn. (4) The giving or withdrawal of an approval under this section shall have effect from such date, as the execution of the instruction signifying the giving or withdrawal of the approval as the Council may specify in the instrument, and the Council shall…. (a) as soon as possible publish a copy of every such instrument so executed in the Federal Government Gazette; and (b) not later than 14 days before its publication, send a copy of every such instrument so executed in the Federal Government Gazette to the Minister for Finance.	
Supervision of instruction and examinations leading to approved qualifications **14**-(1) The Council shall keep itself informed of the nature of- (a) The instrument given by an approved institution to persons attending approved course of training; and (b) The examinations as a result of which approved qualifications are obtained, and for the purposes of performing that duty the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions to observe such examination. (2) The Institute shall have powers to accredit any institution of higher learning offering courses leading to the award of Degree, Higher National Diploma and	Retained

Diploma in project management in order to maintain standard. (3) A person appointed under subsection (1) of this section shall report to the Council on the adequacy of-. (a) the instruction given to persons attending approved course of training at institutions visited by him; (b) the examinations conducted in his presence; and (c) any other matter relating to the institutions or examinations which the Council may, either generally or in a particular case, request him to report, but no such shall be interfere with the giving of any instruction or the holding of any examination. (4) On receiving such a report made under this section, the Council may, if it deems fit and if so required by the Institute, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examination to which the report relates, requesting that person to make observations on the reports to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request.	
PART V PROFESSIONAL DISCIPLINE **Establishment of Disciplinary Tribunal and Investigating Panel** **15**-(1) There shall be a body to be known as the Chartered Institute of Project Managers Disciplinary Tribunal charged (in this Act referred to as "the Tribunal") charged with the duty of considering and determining any case referred to it by the Investigating Panel established under subsection (3) of this section, and any other case which the Tribunal takes cognizance under of this Act. (2) The Tribunal shall consist of a Chairman and six other members who shall be appointed by the Council from among members of the Institute who are not members of the Council.	Retained

(3) There shall be a body to be known as the Chartered Institute of Project Managers Investigating Panel (in this Act referred to "the Panel") charged with the duties of..... (a) conducting a preliminary investigation into any case where it is alleged that a member has committed an act of professional misconduct, or should for any other reason be the subject of proceedings before the Tribunal; and (b) deciding whether the case shall be referred to the Tribunal after affording such a member an opportunity of being hard either personally or by a legal practitioner of his own choice in Nigeria. (4) The Council shall appoint members of the Panel from members of the Institute who are not members of the Council or the Tribunal. (5) A person shall not be appointed as a member of the Tribunal or of the Panel unless such a person is a Chartered Member or Fellow of the Institute. (6) The Provisions of Third Schedule to this Act shall so far as they are applicable to the Tribunal and Panel, respectively have effect with respect to these bodies. (7) The Council may, from time to time, make rules consistent with this Act as to acts, conducts or omissions which constitute professional misconduct.	
Penalties for professional misconduct **16**-(1) Where- (a) a person enrolled or registered under this Act is adjudged by the Tribunal to be guilty of infamous conduct in any professional respect; or (b) a person enrolled or registered under this Act is convicted by any court or tribunal in Nigeria or elsewhere having power to impose a term of imprisonment for an offence (whether or not punishable with imprisonment) which is in the opinion of the Tribunal is incompatible with the status of a project management professional; or	Retained

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

(2) The Tribunal may, if it deem fit:
(a) give a directive reprimanding that person or ordering the Registrar to strike his name off the relevant part of the register; or
(b) defer or further defer its decision as to the giving of such directive under this section until a subsequent meeting of the Tribunal but-
(i) no decision shall be deferred under this section for periods exceeding one year in the aggregate, and
(ii) no person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the Tribunal when that decision was deferred.
(3) For the purpose of subsection (1) (b) of this section, a person shall not be treated as convicted unless the conviction stands at a time when no appeal or further appeal is pending or no application for extension of time to appeal is brought in connection with the conviction.
(4) When the Tribunal gives a directive under subsection (2) of this section, the Tribunal shall cause notice of the directive to be served on the person to whom it relates.
(5) The person to whom a directive under subsection (2) of this section relates may, at any time within 21 days from the date of service on him of notice of the directives, appeal against the directives to the Federal High court and the Tribunal may appear as respondent to the appeal and for the purpose of enabling directives to be given as to the costs of the appeal proceedings before the Federal High Court, the Tribunal shall be deemed to be a party thereto whether or not it appeals on the hearing of the appeal.
(6) A directive on the Tribunal under this section shall take effect where…

(a) no appeal under this section is brought against the directive within the time limited for appeal; (b) such an appeal is brought and is withdrawn or struck out for want prosecution on the withdrawal or striking out of appeal; (c) such appeal is brought and is not withdrawn or struck out, if and when the appeal is dismissed, and shall not take effect except in accordance with foregoing provisions of this subsection. (7) A person whose name is struck off the register in pursuance of a directive of the Tribunal under this section shall not be entitled to be registered again except in pursuance of a direction on that behalf given by the Federal High Court on the application of that person. (8) A directive under this section for the striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the directive (and where he has recently made such an application from the date of his last application) as may be specified in the directive.	
PART VI MISCELLANEOUS **Offences** 17-(1) If a person for the purpose of procuring the registration of any name, qualification or other matter.... (a) make a statement which he believes to be false in a material particular; or (b) recklessly make a statement which is false in a material particular, is guilty of an offence. (2) If, on or after the commencement date of this Act, a person who is not a member of the Institute practices or holds himself out as a member in expectation of a reward or takes or uses any name, title, addition or description implying that he is a member, he is guilty of an offence.	Retained

(3) If the Registrar or any other person employed by or on behalf of the Institute willfully make any falsification in any matter relating to the register, he is guilty of an offence. (4) A person guilty of an offence under this section is liable…. (a) on summary conviction to a fine not exceeding N50,000; (b) on conviction or indictment to a fine not exceeding N20,000 or to imprisonment for a term not exceeding two years, or to both such fines and imprisonment. (5) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or attributable to any neglect on the part of any direct, manager, secretary or other similar officer of the corporate body or any person purporting to act in such capacity, he , as well as the body corporate shall be deemed to have committed the offence and shall be liable to be prosecuted and punished accordingly	
Regulations **18**-(1) Any regulation made under this Act shall be published in the Federal Government Gazette as soon as they are made, and a copy of the regulations shall be forwarded to the Minister for Commerce not less than seven days before they are published. (2) The rules proposed for the purposes of this Act shall be subject to confirmation by the Institute at its next general meeting or at any special meeting of the Institute convened for that purposes, and if then annulled shall cease to have effect on the day affect the date of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rule.	Retained
Rules as to practice, etc. **19**-(1) The Council may make rules-	Retained

(a) for the training of registered members of the profession or suitable persons in project management methods; and (b) for the supervision, regulation, engagement and training of such persons; (c) prescribing the amount and date for payment of the annual subscriptions, and for such purpose, different amounts may be prescribed by the rules according to whether the member of the Institute is a fellow member, chartered member, graduate member, associate member, corporate member or honorary fellow member; (d) prescribing the form of license to practice to be issued annually or if the Council deems fit, by endorsement on an existing license; (e) restricting the right to practice as a chartered member of the profession in default of payment of the amount of the annual subscriptions where the default continues for longer than such period as may be prescribed by the rules; (f) restricting the right to practice as a member of the profession if the qualification granted outside Nigeria does not entitle the holder in practice to be completed before a person qualifies for a license to practice as a member of the profession; and (g) prescribing the period of practical training in the office of a chartered member of the profession in a practice to be completed before a person qualifies for a license to practice as a member of the profession. (2) The rules, when made, shall be published in the Federal Government Gazette.	
Provision of library facilities, etc. **20**. The Institute shall- (a) Provide and maintain a library comprising books and publications for the advancement of knowledge of project management and such other books and publications as the Council may think necessary for the purpose; and	Retained

(b) Encourage research into project management, purchasing and supply management methods and such allied subjects to the extent that the Council may, from time to time, consider necessary.	
Interpretation **21** In this Act … "Council" means the Council established as the governing body of the Institute under section 2 (1) of this Act; "Enrolled" means in relation to a fellow or a chartered or certified member as the case may be; "Fees" includes annual subscription; "Institute" means the Chartered institute of Project Managers of Nigeria established under section 1 (I) of this Act; "Investigation Panel" means the Chartered Institute of Project Managers Investigating Panel established under section 15(3) of this Act; "Member" means a Chartered Member of the Institute registered in any of the six classes of membership; "Chairman" means the overall head of the Council of the Institute "President" means the head of the of the Institute administration; "Project management professional" means any qualified member who is into practice or employed by any organization, Ministry, corporation and engaged in project management. "Tribunal" means the Chartered Institute of Project Managers Disciplinary Tribunal established under section 15 (1) of this Act.	Retained

22. Citation This Act may be cited as the Chartered Institute of Project Managers of Nigeria (Establishment) Bill, 2016.	Retained
SCHEDULES FIRST SCHEDULE [Section 2 (3)] SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL 1. Qualification and tenure of Office of members (1) Subject to the provisions of this paragraph, a member of the Council shall hold for a period of two years beginning from the date of his appointment or election. (2) Any member of this Institute who ceases to be a member thereof shall if he is also a member of the Council, ceases to hold Office on the Council (3) Any elected member of the Council may by notice in writing under his hand to dress to the President of the Institute resign his Office. (4) If for any reason there is a vacation of Office by a member and… (a) such member was appointed by the Minister, the Minister shall appoint another fit and proper person to replace such member; or (b) if such member was elected, the Council may, if the time between the unexpired portion of the term of Office and the annual general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit and proper persons. 2. Power of the Council, etc. 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. Orders of the Institution (1) Subject to the provision of this Act, the Council may in the name of the Institute make standing orders regulating the proceedings of	Retained

the Institute, the Council or any of their committees. (2) Standing orders shall provide for decisions to be taken by a majority of the members and in the event of equality of votes, the President of the Institute or the Chairman as the case may be have a second or casting vote. (3) Standing orders made for committees shall provide for committees to report back to the Council on any matter referred to it by the Council. (4) The quorum of the Council shall be 10 and the quorum of a committee of the Council shall be determined by the Council. 4. Meetings of the Institute (1) The Council shall convene an annual general meeting of the Institute on the 30th day of September every year or such other day as the Council may, from time to time, appoint so that if the meeting is not held within one year after the previous meeting not more than 15 months shall elapse between the respective dates of the two meetings. The President of the Institute shall oversee a special meeting of the Institute. (2) A special meeting of the Institute may be convened by the Council at any time, if less than 20 members of the Institute are informed by notice in writing addressed to the Registrar of the Institute setting out the objects of the proposed meetings, the Chairman of the Council shall oversee a special meeting of the Institute. (3) The quorum of any meeting of the Institute shall be 25 members and that of any special meeting of the Institute shall be 20 members. 5. Meeting of the Council (1) Subject to the provisions of any standing order, 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 day on which the notice is given.

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

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

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

6. Meetings of the committees

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

7. Miscellaneous

(1) The fixing of the common seal of the Institute shall be authenticated by the signature

of the President or any other member of the Council authorized generally or specially by the Institute to act for that purpose. (2) Any contract or instrument which, if made or executed by person not being a body corporate, would not be required to be under seal, may be executed on behalf of the Institute or the Council, as the case may require, 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 Institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be executed. 8. The validity of any proceeding of the Institute or the Council or of a committee of the Council shall not be adversely affected by any vacancy in membership, or by any defect in the appointment of a member of the Institute or of the Council or of a person to serve on the committee or by reason that the person is not entitled to do so look part in the proceedings. 9. Any member of the Institute or Council, and any person holding Office on a Committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the President or Council, as the case may be, and shall not vote on any question relating to the contract or arrangement.	
Second Schedule [Section 7 (2)] TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC. 1. Transfer of properties (1) Every agreement to which the incorporated Institute was a part immediately before the commencement of this Act, whether it is in writing or not an whether or not it is of such nature that the rights, liability and	Retained

obligations thereunder could be assigned by the incorporated Institute, shall, unless the terms or subject-matter it impossible that it should have effect or been modified in the manner provided by this sub-paragraph have effect from the appointed day so far as it relates to property transferred by this Act to the Institute as if-

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

(b) for any reference (however worded and whether express or implied) to the Incorporated Institute, there were substituted as respects anything falling to be done on or after the commencement of this Act, a reference to the Institute; and

(c) for any reference (however worded and whether express or implies) to a member or members of the Council of the Incorporated Institute were substituted, as respects anything failing to be done on or after the commencement of the Act a reference to a member or members of the Council under this Act.

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

(3) Without prejudice to the generality to the foregoing provisions of this Schedule, where, by the operation of section 7 this Act, any right, liability or obligation shall vest in the Institute and all other persons shall, as from the commencement of this Act, have the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority for ascertaining, perfecting or enforcing the right, liability or obligation of the Institute.

(4) Any legal proceeding or application to any authority pending on the commencement of this Act or against the Incorporated Institute may be continued on or after that day or against the Institute.

2. On the commencement of this Act, any person holding any paid appointment in the Incorporated Institute shall hold corresponding appointment in the Institute on the same terms and conditions as to tenure and otherwise but shall not be entitled to receive remuneration both from the Incorporated Instituted in respect of the same period of service. 3. If the law in force at the place where any property transferred by this Act is situated provides for the registration or transfer of property of the kind in question (whether by reference to instrument of transfer or otherwise) , the law shall, so far as it provided for alteration of a register (but not avoidance to transfer the payment of fee or any other matter) apply with the necessary modifications to the transfer of the property and the Institute shall transfer to the officer of the registration authority and the officer shall register the transfer accordingly.	
THIRDSCHEDULE [Section 13 (6)] SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATION PANEL 1. The Tribunal The quorum of the Tribunal shall be four of whom at least two shall be members of the profession. 2. (1) The Council may make rules as to the selection of the Tribunal for the purposes of proceedings and 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 is 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;	Retained

(b) for determining who in addition to the person aforesaid, shall be a party to the proceedings;
(c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Tribunal; and
(d) for publishing in the Gazette notice of any directive of the Tribunal which has taken effect providing that a person's name shall be struck off a register.
3. For the purpose of any member, the Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the Federal High Court writs of subpoena ad *testificandum and deuces 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.
4. (1) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there shall in all proceedings be an Assessor to the Tribunal who shall be appointed by the Council on the recommendation of the Council and shall be a legal practitioner of not less than seven years standing.
(2) The Council shall make rules as to the functions of an Assessor appointed under this paragraph, and in particular such rules shall contain provisions for securing...
(a) that where an Assessor advices the Tribunal on any question of law as to evidence, procedures or any other than is specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every party or person shall be informed about the advice the Assessor has tendered; and
(b) every such party or person shall be informed if in any case the Tribunal does not

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. 5. The Panel The quorum of the Panel shall be three. 6. (1) The Panel may, at any of its meeting attended by all the members of the Panels, make standing orders with respect to the Panel. (2) Subject to the provisions of any such standing order, the Panel may regulate its own procedures. 7. Miscellaneous (1) A person on ceasing to be a member of the Tribunal or the Panel shall not be eligible for appointment as a member of that body. (2) A person shall not, if otherwise eligible, be a member of both the Tribunal and the Panel, and a person who acted as a member of the Panel, with respect to any matter shall not act as a member of the Tribunal with respect to that case or any other case. 8. The proceedings of both the Tribunal and the Panel shall not be invalidated by any irregularity in the appointment of any member or vacancy in the membership of the bodies not reason of the fact that any person who was not entitled to do so took part in the proceedings of the body. 9. Any document authorized or required by virtue of this Act to be served on the Tribunal or the Panel shall be served on the Registrar appointed in pursuance of section 8 of this Act. 10. Any expenses of the Tribunal or the Panel shall be defrayed by the Institute.	