

A BILL FOR AN ACT TO REGULATE THE PROFESSION OF AGRICULTURE AND TO MAKE PROVISIONS FOR THE ESTABLISHMENT, FUNCTION AND ADMINISTRATION OF NIGERIAN INSTITUTE OF AGRICULTURISTS; AND FOR RELATED MATTERS, 2021 (HB. 104).

Provisions of the Bill	Committee of the Whole Recommendation
<p>PART I — ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF AGRICULTURISTS AND ITS GOVERNING COUNCIL</p> <p>Establishment of the Nigerian Institute of Agriculturists and its Governing Council.</p> <p>1. (1) There is established for the Profession of Agriculture, an Institute to be known as the Nigerian Institute of Agriculturists (in this Bill referred to as “the Institute”).</p> <p>(2) The Institute shall be a body corporate with perpetual succession and a common seal and shall have power to sue and be sued in its corporate name and to own, hold and dispose of property whether moveable or immovable to be situate in Abuja, Federal Capital Territory.</p>	Retained
<p>Objects of the Institute.</p> <p>2. The objects of the Institute are:</p> <p>(a) to prescribe and regulate the standards of academic qualifications and practical skills to be attained by persons seeking to become registered as members, associates or fellows of the Institute, as the case may be;</p> <p>(b) to prescribe the code of conduct for agriculturists;</p> <p>(c) to regulate the practice of the profession of agriculture at its various specialised disciplines in relation to each other without contravening the principal legislation establishing those of other disciplines within the profession or related professions;</p> <p>(d) to regulate the formal training in agriculture at educational institutions in the manner that will harmonize the admission and curricula policies of the various disciplines to the exclusion of animal science and soil science courses and programmes;</p> <p>(e) to promote the farming system, production types and technological innovations as well as food security, agricultural services and agro-processing activities for the advancement of all the aspects and branches of agriculture;</p> <p>(f) to encourage and promote among farmers the utilization and application of the findings of agricultural research and other studies for increased food production and food security in Nigeria;</p> <p>(g) to establish a National net-work for the dissemination of information relating to packages on Agricultural production and methodologies arising from new discoveries and modern agriculture;</p> <p>(h) to ensure that the curricula and courses of studies in agriculture in the faculties, colleges and Universities of agriculture are of the theoretical and practical relevance to the development and growth of agricultural science and technology;</p>	Retained

<p>(i) to ensure that the curricula and courses of studies in agriculture excluding soil science and animal science courses and programmes within the faculties, colleges and Universities of agriculture are of the theoretical and practical relevance to the development and growth of agricultural science and technology in collaboration with National Universities Commission (NUC) and the National Board for Technical Education (NBTE);</p> <p>(j) to advise the Ministry and other relevant agencies on safety standards for the use of agricultural chemicals and new biotechnological products;</p> <p>(k) to publish journals, magazines, newsletters and other publications of professional standard in agricultural business and industry;</p> <p>(l) to publish journals, magazines, newsletters and other publications of professional standards in agricultural business and industry to the exclusion of the profession and practice of animal science and soil science;</p> <p>(m) to establish, update and maintain a Register of Professional Agriculturists under this Bill according to their various ranks and to regulate the prerogatives and privileges pertaining to those ranks to the exclusion of the profession and practice of animal science and soil science; and</p> <p>(n) to do such other acts as may be conducive to attainment of the functions of the Institute.</p>	
<p>Establishment and composition of the Council of the Nigerian Institute of Agriculturists.</p> <p>3. (1) There is established for the Institute a Governing Council to be known as the Council of the Nigeria Institute of Agriculturists (in this Bill referred to as "the Council") which shall have overall control of the Institute as specified under this Bill.</p> <p>(2) The Council shall consist of —</p> <p>(a) a President who shall be the head of the Institute and preside over all Council meetings;</p> <p>(b) a Vice President who shall act for the President in his absence;</p> <p>(c) the President Agricultural Society of Nigeria;</p> <p>(d) ten persons shall be elected by the Institute, to represent each of the following disciplines/group of disciplines of agriculture:</p> <p>(i) Agricultural Business and Agricultural Economics Society;</p> <p>(ii) Agricultural Extension and Rural Sociology Society;</p> <p>(iii) Agronomy and Agricultural technology;</p> <p>(iv) Institute of Food Science and Technology, and Home Economics;</p> <p>(v) Agricultural Bio-Technology, Genetics and Breeding excluding animal genetics and breeding;</p>	<p>Retained</p>

<p>(vi) Crop Science Society of Nigeria;</p> <p>(vii) Plant Protection Society of Nigeria;</p> <p>(viii) Horticultural Society of Nigeria;</p> <p>(ix) Forestry and Wildlife;</p> <p>(x) Fisheries and Aquaculture;</p> <p>(xi) Institute Agricultural Engineering;</p> <p>(xii) representative of private organization;</p> <p>(e) the following shall be ex-officio members —</p> <p>(i) the Minister of Agriculture and Rural Development or his representative;</p> <p>(ii) the Minister of Water Resources or his representative;</p> <p>(iii) one representative of Nigerian Chamber of Commerce, Industry, Mines and Agriculture to be elected by the Chamber;</p> <p>(iv) one person to be elected by the organized Agro-Allied Industries;</p> <p>(v) the Executive Secretary, Agricultural Research Council of Nigeria (ARCN);</p> <p>(vi) the Chairman, Association of Deans of Faculties of Agriculture in Nigerian Universities (ADAN);</p> <p>(vii) the Chairman, National Association of Heads of Colleges of Agriculture (NACHCARD);</p> <p>(viii) the Chairman, Committee of Executive Directors of Research Institutes (CODRI);</p> <p>(ix) the Chairman, Committee of Deans of Faculty of Veterinary Medicine of Universities in Nigeria;</p> <p>(x) the Executive Director, National Food Reserve Agency;</p> <p>(xi) the Executive Director, National Seed Council of Nigeria;</p> <p>(xii) one person to be elected by the organized Agro-Technological and Technical workers and Labour Union.</p> <p>(3) The Council shall have power to recommend the amendment of the provision of the schedule to the National Assembly as it may deem necessary.</p>	
<p>Election of members of Council.</p> <p>4. The President, Vice president and other members of the Council other than ex-officio members, shall be elected by the Institute from amongst the members, at an annual general meeting of the Institute:</p>	<p>Retained</p>

<p>Provided that, the first of such general meeting convened by the Agricultural Society of Nigeria and Association of Deans of Agriculture of Nigerian Universities immediately after the Commencement of this Bill, for the purpose of electing such members.</p>	
<p>Tenure of office. 5. The President and the members of the Council, other than ex-officio members shall each hold office —</p> <p>(a) for a period of three years in the first instance and may be eligible for another term of three years and no more; and</p> <p>(b) on such terms and condition as may be specified in the letter of appointment.</p>	<p>Retained</p>
<p>Removal from office. 6. Notwithstanding the provision of section 5 of this Bill, a member of the Council, including the President and Vice President, shall cease to hold office as a member of the Council if —</p> <p>(a) he is relieved of his position by the Council pursuant to any regulation made under section 42 of this Bill, on the ground of ill health, misconduct or if it is interest of the Institute or of the public that the member, the president or the vice president should be removed from office;</p> <p>(b) in writing under his hand resigns his appointment by communicating notice of his intension to the council through the body which he represents and on receipt and approval of the notice by the Council. The resignation shall be deemed to have taken effect and the body shall then elect another representative to complete the tenure of the resigning member of the Council; and</p> <p>(c) he absents himself from three consecutive meetings of the Council, without leave of the Council .</p>	<p>Retained</p>
<p>Emolument etc of members. 7. The president and members of the Council shall be paid such emoluments, allowances and benefits as the Council, in consultation with the general assembly may from time to time approve.</p>	<p>Retained</p>
<p>PART II – POWERS AND FUNCTIONS OF THE COUNCIL AND THE INSTITUTE</p> <p>Powers of Council. 8. The Council shall have power to :</p> <p>(a) provide the general policy guidelines relating to the functions of the institute;</p> <p>(b) approve the acquisition of offices and other premises for the use of the institute;</p> <p>(c) review and approve the strategic plans for the manpower development;</p> <p>(d) appoint officers, employees, agents and consultants which in the opinion of the Council are required for carrying out the objectives of the institute;</p>	<p>Retained</p>

<p>(e) fix the remuneration, allowances and benefits of the staff and employee of the institute;</p> <p>(f) make regulations relating generally to appointment, promotion and disciplinary, control (including dismissal) of employees of the institute; and</p> <p>(g) do such other things and enter into such transactions which the opinion of the Council are necessary to ensure the efficient performance of the institute's objective.</p>	
<p>Functions of the Institute.</p> <p>9. The Institute shall have following functions:</p> <p>(a) carry into effect the powers of the institute;</p> <p>(b) govern the affairs of the institute;</p> <p>(c) effect proper management of the institute; and</p> <p>(d) do such other acts and things as the Council may consider necessary for carrying out the functions and powers of the institute.</p>	<p>Retained</p>
<p>PART III – STAFF OF THE INSTITUTE</p>	
<p>Appointment of the Registrar and the Assistant Registrar of the institute <i>Functions of the Registrar</i></p> <p>10. (1) There shall be appointed a Registrar for the institute who shall -</p> <p>(a) be appointed by the Council and shall be the Chief Executive Officer and he shall discharge his duties according to the terms of his employment and be paid a determined remuneration;</p> <p>(b) head the day- to -day administration of his office and any other assignment that may be given to him by the council and the President of the Council;</p> <p>(c) be responsible for the implementation of all functions of the general secretariat and be responsible to the Council for the employment of the staff who work within and see to the management of the secretariat;</p> <p>(d) keep custody of the register and the common seal of the institute and make sure entries in the register, and affix the common seal to such documents, as the Council may direct from time to time.</p> <p><i>Appointment of Assistant Registrar</i></p> <p>(2) The Institute shall appoint an Assistant Registrar who shall from time to time assist the Registrar in the exercise of his functions under this Bill and shall-</p> <p>(a) attend the meeting of the Council and other Committee meetings and participate in discussion but shall not have the right to vote;</p> <p>(b) in the absence of the Registrar summon meetings of the Council upon the directives of the President of the Council.</p>	<p>Retained</p>

<p><i>Tenure of office of Registrar and conditions of service of staff</i></p> <p>(3) (a) The tenure of the office of the Registrar shall be for a term of five years renewable once and no more;</p> <p>(b) Employment and conditions of service of all other staff in the institute shall be the same with that of the Federal Public Service.</p>	
<p>Removal of the Registrar of the Institute.</p> <p>11. The Registrar may at any time be relieved of his office by the President of the Council acting on an address supported by a two-third majority of the Council praying that he be removed for his inability to discharge the function of the office (whether arising from infirmity of mind or body or any other cause or for misconduct.</p>	Retained
<p>Pensions Reforms Act, 2014.</p> <p>12. Employment in the institute shall be subject to the provisions of the Pensions Reform Act, 2014 and accordingly, officers and employees of the institute shall be entitled to pension and other retirement benefits as are prescribed under the Pensions Reform Act, 2014.</p>	Retained
<p>Condition of service.</p> <p>13. Subject to the provisions of this Bill, the Council may issue staff regulations relating generally to the conditions of service of the staff and , in particular, such regulations may provide for –</p> <p>(a) the appointment, promotion, terminations, dismissal and disciplinary control of staff or employees of the Institute;</p> <p>(b) appeals by staff or employees against dismissal or other disciplinary measure and until such regulations are made, any instrument relating to the conditions of service in the public service of the Federation shall be applicable, with such modification as may be necessary, to the employees of the institute.</p>	Retained
<p style="text-align: center;">PART IV – FINANCIAL PROVISIONS</p> <p>Funds of the Institute.</p> <p>14. The Institute shall establish and maintain a fund which consist of :</p> <p>(a) contributions, levies, subscriptions, fees and other dues paid by the members;</p> <p>(b) revenue accruing to the institute from its investments, activities and service;</p> <p>(c) grants, endowments and donations from Government and other donors; and</p> <p>(d) revenue accruing to the Institute from any other source approved by the Council.</p>	Retained
<p>Expenditure of the Institute.</p> <p>15. (1) The Institute shall defray from the fund established pursuant to section 12 of this Bill all amounts payable under or in pursuance of this Bill being sums representing –</p> <p>(a) amount payable to the President and other members of the Council (including allowances);</p>	Retained

<p>(b) reimbursement to members of the Council or any other Committee set up by the Council for such expenses as may be expressly authorized by the Council;</p> <p>(c) remunerations and other cost of employment of the staff of the Institute;</p> <p>(d) cost of acquisition and up-keep of premises belonging to the institute and any other capital expenditure of the Institute;</p> <p>(e) amounts payable as pensions and other retiring benefits under or pursuant to this Bill or any other enactment;</p> <p>(f) maintenance of utilities, staff promotion, training, research and similar activities;</p> <p>(g) costs necessary for day-to-day operations of the Institute;</p> <p>(h) any other payment for anything incidental to the foregoing provisions or in connection with or incidental to any other function of the Institute under this Bill.</p> <p>(2) The Institute may invest such surplus funds as it may have, from time to time from its day-to-day operation in treasury bill or other government securities.</p>	
<p>Estimates. 16. The Registrar of the Institute shall cause to be prepared and submitted to the Council not later than 30th day of September of each year, an estimate of its income and expenditure for the succeeding year.</p>	Retained
<p>Accounts and audits. 17. The Institute shall cause to be kept proper account and records, and such account shall not later than 6 months after the end of each year, be audited by auditors appointed by the Council from the list and in accordance with the guideline supplied by the Auditor-General of the Federation.</p>	Retained
<p>Annual report, etc. 18. The institute shall prepare and submit to the Council every year a report of the preceding year in such form as the Council may direct on the activities of the Institute. Such Report shall include a copy of audited accounts of the Institute for the year and of the Auditor's Report.</p>	Retained
<p>Power to accept gift. 19. The Institute may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.</p>	Retained
<p>Power to borrow 20. The Institute may, with the approval of the Council, borrow by way of loan, or overdraft from any source such sum as it may require for the performance of its function and meeting its obligation under this Bill.</p>	Retained
<p>Accountability. 21. The Registrar as the Chief Administrative/Accountant Officer of the Institute shall:</p> <p>(a) keep proper accounting records, in a manner as may be determined, from time</p>	Retained

<p>to time by the President in respect of –</p> <ul style="list-style-type: none"> (i) all revenues and expenditure of the Institute; (ii) all its assets, liabilities and other financial transactions; and (b) all other revenues collected by the Institute, including income on investments; (c) prepare an annual report, including financial statements, in accordance with generally accepted accounting principles and practices; and (d) ensure that the available accounting resources of the Institute are adequate and used economically in the most effect and efficient manner, and that other financial records properly safe-guarded; (e) provide replies to Freedom of Information requests; and (f) any other duties that may be assigned by the Council. 	
<p>PART V – REGISTRATION OF MEMBERS OF THE INSTITUTE</p>	
<p>Register of the Institute. 22. The Institute shall keep and maintain a Register of all members.</p>	<p>Retained</p>
<p>Categories of membership. 23. The Institute may subject to the provisions of this Bill, and such rules as the Council may make in that regard, admit and Register the following categories of members:</p> <ul style="list-style-type: none"> (a) regular members; or (b) Associate Member; or (c) Fellows; or (d) Honorary fellows. 	<p>Retained</p>
<p>Eligibility of membership. <i>Regular Membership</i> 24. A person shall be eligible to be admitted and registered as a member if that person is:</p> <ul style="list-style-type: none"> (a) a holder of a degree or equivalent qualification in agriculture or agricultural sciences or related science to the exclusion of a holder of a first degree in animal and soil sciences from any accredited institution and holds in addition 3 years post graduate or post qualification working experience; (b) a member of any equivalent professional agricultural body or Institute recognised by the Council; (c) a holder of a postgraduate degree or postgraduate diploma in any agricultural discipline, from an institution accredited by the Council and has in addition had 2 years working experience to the exclusion of holders of a first degree in animal and soil sciences; 	<p>Retained</p>

<p>(d) a holder of a Higher National Diploma or equivalent qualification in agriculture and related disciplines and in addition has had 3 years of such relevant experience as the Council may approve to the exclusion of a holder of a Higher National Diploma or equivalent qualification in animal and soil sciences;</p> <p>(e) a holder of a National Diploma or equivalent qualification in agriculture and related disciplines mentioned in section 3 (2) (c) of this Bill has in addition had 5 years of such relevant experience as the Council may approve the exclusion of a holder of a Higher National Diploma or equivalent qualification in animal and soil sciences.</p>	
<p>Corporate member. 25. A Company or Corporate Institution shall be eligible to be registered as a corporate member if such organisation is:</p> <p>(a) holding a current registration of the Corporate Affairs Commission (CAC), contributing to Agricultural growth and development in Nigeria to the satisfaction of the Council;</p> <p>(b) found fit and proper to be registered as determined by the Council.</p>	Retained
<p>Associates. 26. A member shall be eligible to be registered as an Associate if-</p> <p>(a) that person has contributed significantly by research efforts, publications and experience, to the growth and development of progress of agriculture or related areas; and</p> <p>(b) the council has satisfied that, the member is a fit and proper person to be elevated to the rank of an associate.</p>	Retained
<p>Fellow. 27. A person who is a member shall be eligible to be registered as an fellow if-</p> <p>(a) that person has by research effort, publication and experience in any area of agriculture, contributed significantly to the growth and development of agriculture or related areas; and</p> <p>(b) the Council is satisfied that, that person is a fit and proper person to be elevated to the rank of a fellow.</p>	Retained
<p>Honorary Fellows. 28. A person may be registered as a honorary fellow if-</p> <p>(a) the person is distinguished in any area of agriculture or related industry; and</p> <p>(b) the Council is satisfied that, that person is fit and proper person to be elevated to the rank of the Honorary Fellow.</p>	Retained
<p>Certificates and honours. 29. The Council may be subject to its rules in that regard, awards distinctive certificates and other honours to any person, member, Associate, Fellow or</p>	Retained

<p>Honorary Fellow as the case may be, for any distinctive achievement in any discipline or areas of agriculture.</p>	
<p>PART VI – APPROVAL OF CURRICULA AND COURSES OF AGRICULTURAL INSTITUTIONS.</p> <p>Accreditation on Institutions.</p> <p>30. (1) Every Faculty, College or University of Agriculture in Nigeria shall on demand by the Council, submit to the Council, details of its curricula, courses-of study in agriculture and related programmes for the consideration and approval of the Council to the exclusion of courses and programmes in animal and soil sciences.</p> <p>(2) The Council shall there upon, delegate a Committee of the Council to evaluate the contents of such curricula and courses and ensure that they sufficiently endow any person pursuing them with the requisite knowledge, skill and working experience for the practice or agricultural profession the exclusion of courses and programmes in animal and soil sciences.</p> <p>(3) The Council shall where such curricula and courses are proved, thereafter by instrument, accredit such faculty, college or university as the case may be, as a fit and proper institution for the training of prospective members.</p> <p>(4) The Council shall monitor the academic programmes in agriculture and related disciplines to maintain an acceptable standards to the exclusion of courses and programmes in animal and soil sciences.</p> <p>(5) Subject to this Bill, the person who has obtained his first degree or other academic qualification from unaccredited institutions shall not be eligible to be registered a member of the institution.</p>	<p>Retained</p>
<p>PART VII - ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF AGRICULTURISTS DISCIPLINARY TRIBUNAL</p> <p>Establishment of the Nigerian Institute of Agriculturists disciplinary tribunal.</p> <p>31. (1) There shall be disciplinary established for the institute, a disciplinary tribunal to be known as the Nigerian Institute of Agriculturist Disciplinary Tribunal (in this Bill referred to as “the tribunal”)</p> <p>(2) The duty of the tribunal is to hear and determine any case of professional misconduct against any member in the discharge of his duties as Agriculturist.</p> <p>(3) The tribunal shall consist of the President and six other members appointed by the Council.</p> <p>(4) There shall be in attendance a legal adviser to be nominated by the Attorney-General of the Federation.</p>	<p>Retained</p>
<p>Rules of proceeding of the tribunal and investigating panel.</p> <p><i>Second Schedule.</i></p> <p>32. (1) There shall, for purpose of the President before the tribunal, be known as the Investigating Panel of the Nigerian Institute of Agriculturist.</p> <p>(2) The duties of the panel are:</p>	<p>Retained</p>

<p>(a) to conduct preliminary investigations into any allegation or complaints of professional member or fellow of the institute; and (b) to determine, whether or not there is a prima, facie case against the person and to refer such case to the tribunal for hearing and determination.</p> <p>(3) The Panel shall consist of a Chairman and four members appointed by the Council.</p>	
<p>Rules. 33. The Council may make rules to regulate the proceedings of the tribunal and investigating panel: Until such rules are made, the rules contained in the second schedule to this Bill are applicable.</p>	Retained
<p>Penalty. 34. (1) Where:</p> <p>(a) a member is adjudged by the tribunal to be guilty of a professional misconduct;</p> <p>(b) a member is convicted of an offence by any court in Nigeria or elsewhere, having power to sentence an offender to imprisonment (whether or not the offence is punishable with imprisonment) and the offence in the opinion of the tribunal derogates his membership of the institute; or</p> <p>(c) the tribunal is satisfied that any person has been fraudulently registered in the register of members.</p> <p>(2) The tribunal shall give directives to the registrar either to reprimand that member or to strike his name off the register and the registrar shall comply with such directives.</p>	Retained
<p>Right of appeal. 35. Notwithstanding the provisions of section 24 of this Bill, or any other Act, a member who is found guilty by the Tribunal shall have right of appeal to the Court of Appeal against any pronouncement made by the Tribunal.</p>	Retained
<p>Professional misconduct. 36. In this part, "professional misconduct" means any action or behaviour considered by the Council to be unprofessional conduct and include acts unbecoming of agriculturists which may include but not limited to unjust enrichment by any person, abuse of office or corrupt practices in the conduct of a member.</p>	Retained
<p>PART VIII – LEGAL PROCEEDINGS</p>	
<p>Limitation of suit against the Institute, etc Cap. P41 LFN 2004. 37. (1) Subject to the provisions of this act, the provisions of this Public Officers Protection Act shall apply in relation to any suit instituted against any member officer or employee of the Institute.</p> <p>(2) Notwithstanding anything contained in any other law or enactment, no suit against a member of the Council, the President or any other officer or employee of</p>	Retained

<p>the institute for any act done in pursuance or execution of this Bill or any other law or enactment, or any other public duties or authority or in respect of any alleged neglect or default in the neglect in the execution of this Bill of any other law or enactment, duties or authority shall lie or be instituted in any Court unless it is commenced-</p> <p>(a) within three months next after the act, neglect or default complained of; or</p> <p>(b) in the case of a continuation of damage or injury, within six months next the ceasing thereof.</p> <p>(3) No suit shall be commenced against a member of the Council, the President or any other officer or employee of the Institute before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Institute by the intending plaintiff or his agent.</p> <p>(4) The notice referred to in subsection (3) of this section shall clearly and explicitly state-</p> <p>(a) the cause of action;</p> <p>(b) the particulars of the claims;</p> <p>(c) the name and place of abode of the intended plaintiff; and</p> <p>(d) the relief which he claims.</p>	
<p>Service of document. 38. A notice, summons or other document required authorized to be served on the Institute under the provision of this Bill or any other law or enactment may be served by delivering it to the President or by sending it by registered post addressed to the President at the principal office of the institute.</p>	<p>Retained</p>
<p>Restriction on execution against property of the institute. 39. (1) In any action or suit against the Institute, No execution or attachment of process in the nature thereof shall be issued against the institute unless not less than three months' notice of the intention to execute or attach has been given to the institute.</p> <p>(2) Any sum of money which by the judgment of any court has been awarded against the institute shall, subject to any direction given by the court, where no notice of appeal against the Judgment has been given, be paid from the fund of institute.</p>	<p>Retained</p>
<p>Indemnity. 40. A member of the council, the president or any officer or employee of the institutes shall be indemnified out of the assets of the Institute against any Liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, president, officer or employee of the Institute.</p>	<p>Retained</p>
<p>PART IX - MISCELLANEOUS PROVISIONS</p>	
<p>Directives by the Minister.</p>	<p>Retained</p>

<p>41. The Minister may jointly or severally give to the Institute or the President such directives of a general nature or relating generally to matters of the policy with regards to the exercise of its or his functions as they may consider necessary and it shall be the duty of the Institute or the President to comply with the directives or cause them to be complied with.</p>	
<p>Power to make regulations the President signs the regulations after getting approval from the Minister. 42. The Council may, with the approval of the ministers, make rules and regulations as in its opinion are necessary or expedient for giving full effect to the provisions of this Bill and for the due administration of its provisions and may in particular, make regulations.</p>	Retained
<p>Interpretation. 43. In this Bill –</p> <p>“Council” means Council established by section 3(1);</p> <p>“Ex-officio” members in this Bill means the Ministers of Agriculture, Environment, etc;</p> <p>“Institute” means Nigerian Institute of Agriculturists established by section 1 of the Bill;</p> <p>“Member” means members of the institute and includes a regular or Associate member of the institute;</p> <p>“Minister” means Minister charged with the responsibilities referred to section 3 (2) (d) to (g) of this Bill;</p> <p>“President” means president of the institute;</p> <p>“Rank” means status of members;</p> <p>“register” means register created and maintained under section 22;</p> <p>“tribunal” means tribunal established under section 23;</p> <p>“Vice President” means vice president of the institute.</p>	Retained
<p>Short title. 44. This Bill may be cited as the Nigerian Institute of Agriculturists Bill, 2021.</p>	Retained
<p style="text-align: center;">SCHEDULES</p> <p style="text-align: center;">FIRST SCHEDULE</p> <p style="text-align: center;"><i>Proceedings of the Council</i></p> <p style="text-align: right;"><i>Section 3 (3)</i></p> <p>1. The Council may make standing orders regulating its proceedings of the council or of any Committee thereof and shall meet at least once in every quarter in a year.</p>	Retained

2. The Quorum of the council shall be seven which shall include at least three elected members, representatives of the Ministers and one elected from one of the tertiary Institutions mentions in this Bill.

3. (1) Subject to the provisions of paragraph 1 above and the applicable standing order, the Council shall meet whenever summoned by the President, and if the President is required so to do by the notice given to him in writing by not less than five elected members, shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Council, the President shall preside or in his absence the Vice President shall preside.

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

4. (1) The Council may appoint one or more committees to carry out on its behalf, such functions as it may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council and not more than one-third of those persons may be person who are not members of the Council and a person other than 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 ratified by the Council.

Miscellaneous

5. (1) The fixing of the seal of the Council shall be authenticated by the signature of the President or the Vice President and the Secretary of the Council.

(2) Any contract or Instrument which is made or executed by a person not being a body corporate, would not be required to under seal but may be or executed on behalf of the Council by any person generally or specially authorized to act for that purpose by the Council.

Notice of Hearing

6. (1) When a complaint is referred by the Panel of the tribunal, the Registrar shall, after consultation with the Chairman, appoint a time and place for the hearing, and shall in the third Schedule hereto: give notice to all interested parties (including members of the tribunal and the assessor)

(2) If directions are for any reason not so given, it shall be sufficient compliance with this rule if the notice is-

(a) handed to the party concerned or affected, personally; or

(b) sent by registered post to the last known place of abode of the party.

Hearing in absence of party

7. (1) Subject to paragraph (2) of this rule, the Tribunal may hear and determine a case in the absence of any party.

(2) Any party to any proceedings before a Tribunal who fails to appear or be presented may apply within one month after the date when the pronouncement of the findings and directions of the tribunal were given, for a re-hearing on the ground of want of notice or other good and sufficient reason, and the Tribunal, in appropriate cases may grant the application upon such terms as to cost or otherwise as it thinks fit.

Hearing of witnesses

8. The Tribunal may in the course of its proceedings hear witnesses and receive any documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complainant referred to it by the panel, and in application of this rule, the provisions of the Evidence Act shall apply to any such proceedings.

Amendment of complaint

9. If in the cause of the proceedings it appears to the Tribunal that the complaint before it requires to be amended in any respect, the Tribunal may, on such term as it thinks fit allow the amendment to be made and the complaint as amended shall there upon be dealt with accordingly.

Public Hearing

10. (1) The proceedings of the Tribunal shall be held and its findings and directions shall be delivered, in public unless otherwise directed by the Tribunal

(2) The Tribunal may, on its own motion, or upon the application of any party, adjourn the hearing on such terms as to costs or otherwise as the Tribunal deems fit.

False evidence

11. If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings, or willfully make a false statement in any affidavit sworn for the purpose of such proceedings, the Tribunal may refer the matter to the Attorney-General of the Federation for such action as the Attorney-General may deem fit.

Findings and costs in certain cases

12. If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proved, the Tribunal-

(a) shall record the findings that the respondent is not guilty of such misconduct in respect of which the charge was preferred; and

(b) may, nevertheless order any party (except the complainant) to pay the costs of the proceedings, having regard to his conduct and to all the circumstances of the case.

Publication of findings

13. Any findings made or direction given by the tribunal shall be published in the Federal Government Gazette immediately after such finding or direction, as the case may be.

Record of proceedings

14. The Chairman shall during the hearing, take the minutes of the proceedings which shall be open to inspection by the parties and shall be made available to any party upon the payment of such charges as the Registrar may be instructed to publish in the Federal Government Gazette.

Power of Tribunal

15. The Tribunal may dispense with any requirements of these rules regarding notices, affidavit, documents, service or time for doing or omitting anything, in any case where it appears to the Tribunal to be just or expedite so to do: and the tribunal may in any particular case extend the time for doing anything under these rules.

Power to retain exhibits pending appeal

16. Books and other exhibits whatever produced or used at the hearing shall, unless the tribunal otherwise directs, be retained by the Registrar until the expiry of the time for filing an appeal against any finding or direction of the Tribunal or, if notice of any such appeal is given until the hearing and disposal of the appeal.

Assessors

Appointment and duties of assessors

17. (1) An assessor, shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in his instrument of appointment; and where the appointment is not general one, it shall have effect only in respect of a particular proceedings of the Tribunal.

(2) Subject to the terms of his appointment, in assessors shall attend the proceedings of the Tribunal whenever required so to do by notice in writing given to him by the Registrar not later than 3 days before the date fixed for the hearing of such proceedings, and he shall therefore advise the Tribunal on question of law only.

Miscellaneous

Interpretation

18. In these rules –

“Complainant” means a person or body alleging before the Tribunal, professional misconduct against a member of the Institute;

“Respondent” means the person required to answer to any charge of professional

<p>misconduct.</p> <p style="text-align: center;"><i>Short title</i></p> <p>19. These rules may be cited as the Nigerian Institute of Agriculturist (Disciplinary tribunal) Rules.</p>	
<p style="text-align: center;">SECOND SCHEDULE</p> <p style="text-align: right;"><i>Rules 2 (1)</i></p> <p style="text-align: center;">Hearing Notice</p> <p>IN THE MATTER OF THE NIGERIAN INSTITUTE OF AGRICULTURISTS TRIBUNAL</p> <p>IN THE MATTERS OF A CHARGE OF PROFESSIONAL MISCONDUCT AGAINST</p> <p>.....</p> <p>OF</p> <p>.....</p> <p>.....</p> <p>a member/Associate/Fellow of the Institute Take Notice that the Nigerian Institute of Agriculturist Disciplinary Tribunal sitting at -----</p> <p>-----</p> <p>at.....on...</p> <p>.....</p> <p>.....,20.....</p> <p>.....</p> <p>Will commence its hearing of charges(s) to be there preferred againstAforesaid</p> <p>Of professional Misconduct in his office as a Professional Agriculturist and the Tribunal shall thereafter deliver its finding and give its directions accordingly.</p> <p>This notice is given to as a</p> <p>.....(Here state whether a party or a member, etc)</p> <p>And a copy of the charge(s) to be preferred is to hereto annexed</p> <p>DATED this day of</p> <p>..... 20</p> <p>.....</p> <p style="text-align: right;">Registrar.</p>	<p style="text-align: center;">Retained</p>
<p style="text-align: center;">EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to establish the Nigerian Institute of Agriculturist as a body responsible for regulating the practice of the Profession of Agriculture in Nigeria and with power to prescribe a code of conduct of agriculturists.</p> <p>The Bill also seeks to ensure that agriculturists in Nigeria assume the same relevance and responsibility for the Systematic growth of the agricultural sector as their counterparts in any advanced country.</p>	<p style="text-align: center;">Retained</p>