



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 14th November, 2006

1. The Senate met at 10:25 a.m. The Senate President read Prayers.
2. Votes and Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Thursday, 9th November, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.
3. Message from Mr. President:
The Senate President announced that he had received a letter from Mr. President, Commander-in-Chief which he read as follows:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

October 18, 2006

*Rt. Hon. Chief Ken Nnamani,
President of the Senate, Senate
Chambers, National Assembly
Complex, Three Arms Zone,
Abuja.*

Dear President of the Senate,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF CHAIRMAN
AND MEMBER'S OF THE NATIONAL POPULATION COMMISSION

The National Population Commission is one of the Federal Executive Bodies established under Section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria.

By the provision of Pan 1(J) of the Third Schedule of the 1999 Constitution, the Commission shall comprise a Chairman and one person from each State of the Federation and the Federal Capital Territory, Abuja. In this connection, the tenure of the Chairman and twenty eight (28) members of the Commission listed below will expire on 30th October 2006 and 18th December 2006.

S/N	Name	State of Origin	Designation	Date of Appt	Date of Exp. of Tenure	Remarks
1.	Mr. S.D. Makama	Plateau	Chairman	31/10/2001	30/10/2006	
2.	Mr. S. D. Kwahe	Adamawa	Member	31/10/2001	30/10/2006	
3.	Dr. U.I. Asibong-Ibe	Akwa Ibom	Member	31/10/2001	30/10/2006	
4.	P.K. Clement Atuwo	Bayelsa	Member	31/10/2001	30/10/2006	
5.	Dr. Suleiman Bello	Borno	Member	31/10/2001	30/10/2006	
6.	Barr. Edu Harry Ezoke	C/River	Member	31/10/2001	30/10/2006	
7.	Mr. F.J. Nwachukwu	Ebonyi	Member	31/10/2001	30/10/2006	
8.	Barr. Peter Otaigbe	Edo	Member	31/10/2001	30/10/2006	
9.	Mr. M. O. Ogunbolude	Ekiti	Member	31/10/2001	30/10/2006	
10.	Alh. Moh'd T. Ahmed	Gombe	Member	31/10/2001	30/10/2006	
11.	Chief Joe Ndu	Imo	Member	31/10/2001	30/10/2006	
12.	Prof. Bashir A. Ikara	Kaduna	Member	31/10/2001	30/10/2006	
13.	Alh. Bello A. Wudil	Kano	Member	31/10/2001	30/10/2006	
14.	Alh. Ibrahim K. Aliyu	Kebbi	Member	31/10/2001	30/10/2006	
15.	Mr. S.S. Lawal	Kogi	Member	31/10/2001	30/10/2006	
16.	Alh. Saidu B, Ahmed	Kwara	Member	31/10/2001	30/10/2006	
17.	Otunba S. Okanlawon	Lagos	Member	31/10/2001	30/10/2006	
18.	Alh. Abdul. R. Nuhu	Nasarawa	Member	31/10/2001	30/10/2006	
19.	Alh. Muh'd Liman D.	Niger	Member	31/10/2001	30/10/2006	
20.	Dr. Bode Iwaloye	Ondo	Member	31/10/2001	30/10/2006	
21.	Dr. Duro Famojuro	Osun	Member	31/10/2001	30/10/2006	
22.	Mr. J. Kum	Plateau	Member	31/10/2001	30/10/2006	
23.	Mr. Moses E. Ofori	Rivers	Member	31/10/2001	30/10/2006	
24.	Alh. Abdulrazaq Musa	Taraba	Member	31/10/2001	30/10/2006	
25.	Dr. S. Anjugu	FCT	Member	31/10/2001	30/10/2006	
26.	Alh. A.I. Dogondaji	Sokoto	Member	31/10/2001	30/10/2006	
27.	Chief B.B.O. Emeh,	Anambra	Member	19/12/2001	18/12/2006	
28.	Chief M.O. Anih	Enugu	Member	19/12/2001	18/12/2006	
29.	Dr. (Mrs) O.T. Oduneye	Ogun	Member	19/12/2001	18/12/2006	

The Chairman and the twenty eight (28) members have performed creditably well since they were appointed in 2001 and considering the fact that the Commission is yet to conclude work on 2006 National Population and Housing Census it is compelling to review their tenure to enable them conclude the on-going census exercise.

I have, therefore, in the exercise of the powers conferred on me by Section 156(3) of the 1999 Constitution, decided to re-appoint the Chairman and twenty eight (28) members listed above whose CVs are attached, for a second and final term of five (5) years.

In line with the provision of Section 154(1) and (3) of the 1999 Constitution and, after due consultation with the Council of State at its meeting of Thursday, 28th September 2006, I hereby present the re-appointment of the Chairman and twenty eight (28) members for confirmation by the Senate.

I look forward to your early action.

*Yours Sincerely,
Signed: OLUSEGUN
OBASANJO*

4. Conference Committee on Petroleum Regulations for Fiscal Incentives:

The Senate President named the underlisted Senators as Conferees:

Senator Lee L. Maeba	—	Chairman
Senator Joy I. Emodi	—	Member
Senator Effiong D. Bob	—	Member
Senator Zik S. Ambuno	—	Member
Senator Yahaya N. Ugbane	—	Member
Senator Iya Abubakar	—	Member

5. Closed Session:

Motion made and Question Proposed: That the Senate do resolve into a Closed Session to discuss matters relevant to the workings of the Senate (*Senate Majority Leader*).

Question put and agreed to.

Closed Session — **10:50 a.m**
Open Session — **12:00 p.m**

The Senate President reported that the Senate in Closed Session discussed issues bordering on the general welfare of Senators and the 2007 General Election regarding how to improve on the Voter's Registration Exercise. The President also mandated the Senate Committees on Judiciary, Human Rights and Legal Matters and the Independent National Electoral Commission (INEC) to take a closer look at the exercise.

6. Personal Explanation:

Rising on Rule 43, Senator Victor Ndoma-Egba drew the attention of the Senate to the Senate Resolution of 27th September, 2006 which sets up a 13 Member Ad-hoc Committee mandated to investigate the activities of the Petroleum Technology Development Fund (PTDF) and other related matters and report within four weeks.

He further explained that the Committee could not report as directed in view of the interruption of series of activities starting with the Muslim Sallah break, the ADC plane crash, the Senate recess and very large volumes of the submissions received by the Committee. He sought leave of the Senate for an additional four weeks for the Committee to conclude the assignment and report to the Senate.

Committee granted additional four weeks to report to the Senate.

7. Privileges:

Rising from Rules 14,15 and 16 Senator Farouk B. Bunza invited the attention of the Senate to the recent impeachment of the former Plateau State Governor, which breached his privilege as a Senator of the Federal Republic of Nigeria and privilege of the Distinguished Senate collectively. He therefor move that:

- (/) That the Senate condemns in strong terms the action of Plateau State House of Assembly Law Makers and request that the status-quo ante be maintained; and

- (ii) That the Senate do re-iterate its earlier position that ail impeachment actions must follow due process and respect of Rule of Law (*Senator Farouk B. Bunza*).

Debate:

The Senate President ruled that the Senator's personal privilege and that of the Senate had not been impugned.

8. Committee on National Security and

Intelligence: *Report on the Session (June 2005 to June 2006):*

Motion made and Question Proposed: That the Senate do receive the Report of the Committee on National Security and Intelligence for the Session (June 2005 to June 2006) (*Senator Nuhu Aliyu*).

Report laid.

9. Committee on Establishment and Public Service Matters:

Report on Chartered Institute of Certified Secretaries and Reporters of Nigeria, Bill 2006:

Motion made and Question Proposed: That the Senate do consider the Report of the Committee on Establishment and Public Service Matters on the Chartered Institute of Certified Secretaries and Reporters of Nigeria Bill 2006 (*Senator Felix O. Ibru*).

Question put and agreed to.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CHARTERED INSTITUTE OF CERTIFIED SECRETARIES AND REPORTERS OF NIGERIA (ESTABLISHMENT) BILL 2006

Clause 1: Establishment of the Chartered Institute of Certified Secretaries and Reporters:

There is established a body to be known as the Chartered Institute of Certified Secretaries and Reporters of Nigeria (in this Bill referred to as the "Institute"), which shall be a body corporate with perpetual succession and a common seal to be kept at the head office; and may sue and be sued in its corporate name.

Committee's Recommendation:

Leave out the provision in Clause 1 and *insert* the following:

"There is established a body to be known as the Chartered Institute of Certified Secretaries and Reporters of Nigeria (in this Act referred to as the "Institute") which -

(a) shall be a body corporate with perpetual succession and a common seal; and

(b) may sue and be sued in its corporate name" (*Senator Felix O. Ibru*).

Amendment Proposed:

Leave out the word "Chartered" in line 1 and anywhere it appears in the Bill (*Senator Oserheimen A. Osunbor*).

Question that the amendment be made put and agreed to. Question that

Clause 1 as amended do stand part of the Bill, put and agreed to.

Clause 2: Functions of the Institute:

The Institute shall -

(a) determine and review from time to time the qualifications for membership of the Institute;

(b) ensure professional ethics, high standard and sound knowledge by members of the Institute;

- (c) secure in accordance **with** the provisions of this Act the maintenance of a register for its members; and
- (d) carry out such other functions as the Board may from time to time prescribe (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 2 stand part of the Bill, put and agreed to.

Clause 3:

Membership of the Institute:

- (1) The members admitted to the Institute shall be enrolled as Chartered Certified Secretaries or Chartered Certified Verbatim Reporters and shall be entitled to the use of that status accorded and shall be registered as -
 - (a) fellows, if they satisfy the Board that -
 - (i) they are not less than 35 years of age and have 10 years relevant working experience in any reputable organization or government department of which at least 5 years have been spent on a senior appointment,
 - (ii) for the period of three years immediately preceding the date of application or recommendation in that behalf, they have been fit persons and have, in addition to being the holders of approved academic, professional qualifications or certificate of the final examination of the Institute, contributed to the development of the Institute and are fit persons to be so registered;
 - (b) members, if they satisfy the Board that they -
 - (i) are at least 30 years of age, have been associate members for not less than three years, have passed examinations prescribed or accepted by the Institute and are fit persons to be so registered,
 - (ii) have maintained a good record of membership for at least five years immediately preceding the date of application and have contributed to the upliftment of the profession and the Institute;
 - (c) associate members, if they -
 - (i) are not less than 28 years of age, have passed relevant examinations prescribed or accepted by the Institute and have not less than five years relevant working experience in any or reputable organization or government department, or
 - (ii) have a University First Degree, Higher National Diploma, National Certificate of Education or its equivalent from Government approved institutions and have not less than five years post qualification experience and that period of higher education (maximum of two years) may be counted towards years of experience;
 - (d) graduate members if they have attained the age of 21 years, have passed examinations accepted by the Institute and have not less than three years working experience in secretarial or reportorial profession; and
 - (e) students if they meet the entry requirement as specified by resolution of the Board.
- (2) The Board shall have the power to approve through its resolution that any person be awarded the Institute's honorary membership status in recognition of outstanding qualities, achievements in industry, education, commerce and contribution to the development of the Institute and the profession but the award

shall not entitle the recipient to practise or become member of the profession or vote in the affairs of the Institute.

- (3) The Board shall have the power to approve the award to a corporate body of the Institute's corporate membership status and such an award shall entitle the recipient to the rights and obligations of just one member.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4:

Designatory Letters:

The designatory letters of the Institute shall be -

- (a) "FSR" for professional fellows;

Committee's Recommendation:

"FSR (Hon.)" for honorary fellows;

That the provisions in Clause 4 be

"MSR" for professional members;

retained (*Senator Felix O. Ibru*) —

"MSR (Hon.)" for honorary members;

Clause 5:

Agreed to.

"ASR" for Associates; and "ISR

Question that Clause 4 do stand part of

members" for corporate members.

the Bill, put and agreed to.

President and Vice Presidents:

- (1) There shall be for the Institute a President and two Vice-Presidents (First and Second Vice-Presidents) who shall be Presidents elected by the Institute and shall be professional members of the Institute in the categories of fellows and members.

- (2) The President shall preside at all meetings of the Board and the Institute and in the absence of the President, the First Vice-President (in whose absence, the Second Vice-President) shall preside.

- (3) The President and Vice-Presidents shall hold office for a term of two years and shall cease to hold office immediately they cease to be members of the Institute as specified in subsection (1) of this section.

- (4) The President shall hold office for a term of two years and no more.

Committee's Recommendation:

That the provisions in Clause 5 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6:

Board and its composition:

- (1) The Institute shall have a governing body (in this Act referred to as "the Board"), charged with the responsibility of formulation of policies for the administration and general management of the Institute.

- (2) The Board shall consist of professional members not below the category of associate members and such other persons on honorary advisory capacity appointed, elected or nominated as follows -

- (a) the President of the Institute, who shall be the Chairman of the Board;

- (b) the Registrar of the Institute who shall be the Secretary of the Board;
- (c) the Vice-Presidents of the Institute, with the Vice-Presidents as the Vice-Chairmen of the Board;
- (d) one representative each from -
 - (i) the Government Department charged with manpower development and training (in this Act referred to as "the Government Department"),
 - (ii) Federal Ministry of Education,
 - (iii) Public Service Office in the Presidency;
- (e) one person each to represent -
 - (i) the Universities offering courses relevant to any of the two professions in this Act, to be appointed on a rotational basis by the National Universities Commission,
 - (ii) the Polytechnics and Colleges of Education offering courses relevant to any of the two professions in this Act, to be appointed on rotational basis by the National Board for Technical Education and National Commission for Colleges of Education;
- (f) one person to represent training institutions with relevant courses under the Government Department to be appointed by that Department;
- (g) four persons to be elected by the Institute among its members; and
- (h) past Presidents of the Institute who shall serve on the Board for a maximum period of three years from the expiration of their terms as Presidents.
- (i) past Presidents of the Institute who shall serve on the Board for a maximum period of three years from the expiration of their terms as Presidents.

Committee's Recommendation:

That the provisions in Clause 6 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7:

Tenure of Office:

The tenure of office for members of the Board shall be two years with an eligibility for reappointment (or re-election as the case may be) for a further term of two years and no more.

Committee's Recommendation:

That the provisions in Clause 7 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8:

Resignation and Filling of Vacancy:

- (1) A member of the Board may, by notice in writing to the President of the Institute resign his membership of the Board.
- (2) Whenever there is a vacancy in the membership of **the** Board, a person representing the same interest as the member whose exit created the vacancy

- (3) The provisions of the First Schedule to this Bill shall have effect with respect to **the** meetings of the Board and the Institute.

First Schedule:

The provisions of the Schedule to this Bill shall have effect with respect to the meetings of the Board and the Institute.

Committee's Recommendation:

That the provisions in Clause 8 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9:

Rules and Regulations:

- (1) The Board shall make regulations subject to the approval of the Institute for carrying out of any of its policies and functions of the Institute.
- (2) The Rules and regulations made under this Act, shall be published in print media and the Institute's journal as soon as they are made and copies of such rules shall be sent to the Ministry of Education.

Committee's Recommendation:

That the provisions in Clause 9 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Delegation of Power:

The Board may delegate to any person any of its powers which in its opinion is calculated to facilitate the carrying out of its functions, provided that the Board's power to make rules and regulations shall not be delegated.

Committee's Recommendation:

That the provisions in Clause 10 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 10 do stand part of the Bill, put and agreed to.

Clause 11: Funds of the Institute and Expenditure:

- (1) **The** Institute shall maintain a Fund which shall be applied towards the discharge of its functions and into which shall be paid -
- (a) all fees and other monies payable to the Institute;
 - (b) all grants, aids and solicited funds received for the Institute; and
 - (c) proceeds from programmes/activities.
- (2) There shall be defrayed from the Fund the following -
- (a) remuneration and allowances of the Registrar General and other employees of the Institute.
 - (b) such reasonable travelling allowances (as may be determined by the Board and its Committees) incurred in the business of official functions of the Board;
 - *
 - (c) any expense incurred by the Board in the discharge of its duties.

Committee's Recommendation:

That the provisions in Clause 11 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 11 do stand part of the Bill, put and agreed to.

Clause 12:

Power to invest or borrow money:

- (1) The Board may invest the Institute's money in any security created or issued by or on behalf of the Federal Government.

- (2) The Board may borrow money for the use of the Institute and any interest payable on money borrowed by the Institute shall be defrayed from the Fund of the Institute.

Committee's Recommendation:

That the provisions in Clause 12 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, put and agreed to.

Clause 13: Auditing of accounts, proper records, etc:

- (1) The Board shall keep proper accounts of the activities of the Institute in respect of each year and proper records in relation to those accounts and the Board shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.
- (2) The audited accounts shall be submitted by the Board to the members of the Institute for approval at the annual general meeting of the Institute.

Committee's Recommendation:

That the provisions in Clause 13 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 13 do stand part of the Bill, put and agreed to.

Clause 14: Transfer of assets and liabilities:

Upon the commencement of this Act -

- (a) all assets held by or on behalf of the Institute of Certified Secretaries and Reporters shall, by virtue of this Act, vest in the Institute and all liabilities incurred before the commencement of this Act by the former Institute shall automatically be transferred to the Institute; and
- (b) any act or thing done by the former Institute shall be deemed to have been done by the Institute.

Committee's Recommendation:

That the provisions in Clause 14 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 14 do stand part of the Bill, put and agreed to.

Clause 15: Appointment of Registrar and other staff of the Institute:

- (1) The Board shall, subject to the approval of the Institute, appoint fit and proper persons who shall be professional members of the Institute to be the Registrar and Assistant Registrar (in this Act referred to "Registrar" and "Assistant Registrar" respectively).
- (2) The last person to hold office as the Registrar of the former Institute shall upon the commencement of this Act continue in office (for a maximum of one year) as acting Registrar of the Institute before the Board appoints the first Registrar of the Institute.
- (3) The Registrar -
- (a) shall be the Chief Executive Officer of the Institute;
 - (b) shall hold office for a term of four years; and
 - (c) may be eligible for reappointment for another term of four years and no more.

Committee's Recommendation:

That the provisions in Clause 15 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Clause 16: Register:

The Registrar shall prepare and maintain, in accordance with the rules made by the Board, a Register of names, addresses, approved qualifications and such other particulars as may be specified in the manner prescribed by such rules.

Committee's Recommendation:

That the provisions in Clause 16 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17:**Contents of the register:**

The Register shall consist of five parts, one part each in respect of -

- (a) professional fellows;
- (b) professional members;
- (c) graduate members;
- (d) affiliate and student members; and
- (e) honorary fellows, corporate and honorary members.

Committee's Recommendation:

That the provisions in Clause 17 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 17 do stand part of the Bill, put and agreed to.

Clause 18:**Rules for Maintenance of Register:**

The Board shall make rules in respect of the form of the register, its maintenance, the entries to be made therein and -

- (a) mode of application, enrolment and registration; and
- (b) all fees to be paid to the Institute including annual subscriptions.

Committee's Recommendation:

That the provisions in Clause 18 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 18 do stand part of the Bill, put and agreed to.

Clause 19:**Corrections, alteration, etc of the contents of Register:**

The Registrar shall -

- (a) correct, in accordance with the directives of the Board, any entry on the register which in the Board's opinion was incorrectly made;
- (b) make, from time to time, any necessary alteration in the registered particulars of persons;
- (c) remove from the Register, the name of any enrolled or registered person who has died; and
- (d) record the names of members who are in default for more than six months in the payment of annual subscriptions, and to take such action in relation thereto (including removal of the names of defaulters from the Register), as the Board may direct.

Committee's Recommendation:

That the provisions in Clause 19 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 19 do stand part of the Bill, put and agreed to.

- (a) sends by post to any registered or enrolled person, a registered letter, addressed to him at his address on the Register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting it; and
- (b) upon the expiration of that period sends in like manner to the person in question a reminder and receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person from the register, and where the Board directs that such removed particulars be restored to their appropriate place in the Register, the Registrar shall comply.

Committee's Recommendation:

That the provisions in Clause 20 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 20 do stand part of the Bill, put and agreed to.

Clause 21:

Printing etc of Register of Members:

The Registrar shall cause -

- (a) the Register to be printed, published and put on sale to members of the public not later than two years from the day he assumed office;
- (b) to be printed, published and put on sale each year (after the first publication), either a corrected edition of the Register or a list of alterations made to it since it was last printed; and
- (c) a print of each edition of the register and each list of corrections to be deposited at the Head Office of the Institute and the Board shall make the register and lists so deposited available at all reasonable times for inspection by members of the public.

Committee's Recommendation:

That the provisions in Clause 21 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 21 do stand part of the Bill, put and agreed to.

Clause 22:

Evidence of registration:

- (1) A document purporting to be a print of an edition of the Register or list of corrections to it published under Section 21 of this Act shall be admissible in any proceeding as evidence that any person specified in the document is so registered at the date of the document, and that any person not so specified is not registered.
- (2) Where in accordance with subsection (1) of this section, a person in any proceeding is known to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purpose of that proceedings as having at all material times thereafter continued to be so or not so registered.

Committee's Recommendation:

That the provisions in Clause 22 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 22 do stand part of the Bill, put and agreed to.

Clause 23:

Conditions for enrolment or registration:

- (1) Subject to the provisions of this Act or rules made hereunder, a person shall be entitled to be enrolled or registered as a Certified Secretary or Certified Verbatim Reporter if such a person -
 - (a) passes a qualifying examination for membership conducted by the Institute and completes the practical training prescribed; or
 - (b) holds a relevant qualification granted by a government-owned

- (c) holds a qualification granted outside Nigeria which is acceptable to the Board and satisfies the Board of sufficient practical experience as a Certified Secretary or Certified Verbatim Reporter.
- (2) In addition to subsection (1) of this section, the applicant shall satisfy the Board that he -
 - (a) is of good character and high integrity;
 - (b) has attained the age of 21 years; and
 - (c) has never been convicted of an offence involving fraud, dishonesty or gross misconduct.
- (3) The Board shall, from time to time, publish in its internal newsletter, Federal Government Gazette and National Dailies, the qualifications acceptable for enrolment or registration by

Committee's Recommendation:

That the provisions in Clause 23 be retained (*Senator Felix O. Ibru*) ■— *Agreed to.*

Question that Clause 23 do stand part of the Bill, put and agreed to.

Clause 24:

Provisional Registration:

The Board may provisionally accept a qualification produced in respect of an application and in such case direct that any entry made in the register shows that the registration is provisional and shall not be converted into full registration without the written consent of the Board to that effect. ¶

Committee's Recommendation:

That the provisions in Clause 24 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 24 do stand part of the Bill, put and agreed to.

Clause 25:

Approval of Qualification:

The Board may approve any qualification for the purpose of this Act and may approve any-

- (a) course or training at an approved institution which is intended for persons who are seeking to become or are already Certified Secretaries and Verbatim Reporters or which the Board considers designed to confer on persons completing it as sufficient knowledge and skill for admission into the Institute; and
- (b) qualification which as a result of an examination taken in conjunction with a course or training approved by the Board under this section, is granted to candidates reaching a standard at the examination which affords the candidates knowledge and skill to practise as Certified Secretaries or Certified Verbatim Reporters.

Committee's Recommendation:

That the provisions in Clause 25 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 25 do stand part of the Bill, put and agreed to.

Clause 26:

Withdrawal of Approval:

The Board may, if it deems fit, withdraw any approval under this Act in respect of any course, qualification or institution but before doing so the Board shall, in the following order -

- (a) obtain consent to that effect from the Government Department;
- (b) give notice of its intention to persons appearing to it to be the conductors of the course, the recipients of the qualifications or the controllers of the institution;

- (c) afford persons in paragraph (b) of this section an opportunity for making representations to the Board with regards to the proposal; and
- (d) take into consideration any representation made in pursuance of paragraph (c) of this section.

Committee's Recommendation:

That the provisions in Clause 26 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: Effect of Withdrawal of Approval:

- (1) Any withdrawal of approval under section 26 of this Act takes effect on the day the instrument of the withdrawal is signed by the President.
- (2) The Board shall, as soon as possible, publish every instrument of withdrawal of approval in the Institute's Newsletter or in the Federal Government Gazette.

Committee's Recommendation:

That the provisions in Clause 27 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 27 do stand part of the Bill, put and agreed to.

Clause 28: Monitoring of Examinations and Training:

The Board shall keep itself informed of the nature of the -

- (a) instruction given at approved institutions; and
- (b) examinations as a result of which approved qualifications are granted.

Committee's Recommendation:

That the provisions in Clause 28 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 28 do stand part of the Bill, put and agreed to.

Clause 29: Monitoring Committee:

- (1) The Board shall constitute an Examination and Training Monitoring Committee (in this Act referred to as the "Monitoring Committee") for the purpose of section 28.
- (2) The Monitoring Committee shall report to the Board on the adequacy of the instructions and examinations given by the institutions visited by it and any other matter relating to such instructions and examinations, but no member of the Committee shall interfere with the giving or holding of instructions and examinations.
- (3) Upon the receipt of a report made in pursuance of subsection (2) of this section, the Board may send a copy of it to the management of the institution to which the report relates or to the person responsible for the examinations requesting that comments be made on the report within a stipulated period (not being less than one month) from the date of the receipt of the request.

Committee's Recommendation:

That the provisions in Clause 29 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 29 do stand part of the Bill, put and agreed to.

- (2) The Investigating Panel shall consist of five members to be appointed by the Board from other members of the Institute.

Committee's Recommendation:

That the provisions in Clause 30 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 30 do stand part of the Bill, put and agreed to.

Clause 31:

Disciplinary Committee:

- (1) There shall be for the Institute a Disciplinary Committee which shall be responsible for considering and determining - (a) cases brought before it by the Investigating Panel; and
- (b) any other case that it takes cognizance of.
- (2) The Disciplinary Committee shall consist of -
- (a) a Chairman and four members of the Institute to be appointed by the Board
- (b) one representative from the Government Department;
- (3) The Second Schedule to this Bill applies accordingly in relation to the Disciplinary Committee and Investigation Panel.
- (4) The Board shall make rules as to what acts constitute professional misconduct for-
- (a) the procedures of the Investigating Panel and Disciplinary Committee;
- (b) the mode of appeal and serving of notices; and
- (c) all matters incidental to the duties of the Investigating Panel and Disciplinary Committee..

Committee's Recommendation:

That the provisions in Clause 31 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32:

Penalties for Professional Misconduct:

- (1) Where a person enrolled or registered under this Act is -
- (a) adjudged by the Disciplinary Committee to be guilty of infamous conduct in any professional manner; or
- (b) convicted by a Court of competent jurisdiction of an offence which, in the opinion of the Disciplinary Committee, is incompatible with the status of a member of the Institute; or
- fc) discovered to have been enrolled or registered fraudulently, the Disciplinary Committee may either give such a person a written reprimand or direct the Registrar to strike his name off the Institute's Register.
- *
- (d) a person enrolled or registered under this Act is convicted by any competent Court of Law or tribunal in Nigeria or elsewhere, having power to impose a term of imprisonment for an offence (whether or not punishable with imprisonment) which in the opinion of the Disciplinary Committee is in compatible with the status of a Chartered Certified Secretaries or Chartered Certified Verbatim Reporters; or
- (e) the Disciplinary Committee 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 an offence and shall be liable to a term

of imprisonment not exceeding five years. The Disciplinary Committee may, if it thinks fit, give a directive reprimanding that person or other the Registrar to strike his name off the relevant part of the register.

Committee's Recommendation:

Leave out the provision in Subclauses 32(d) and (e) (Senator Felix O. Ibru) — Agreed to.

- (2) The Disciplinary Committee may, if it deems fit, defer or further defer its decision as to the giving of a directive under subsection (1) of this section until a subsequent meeting of the Disciplinary Committee but -
 - (a) no decision shall be deferred under this section for periods exceeding one year in the aggregate; and
 - (b) 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 Disciplinary Committee when the decision was deferred.
 - (b) no person shall be a member of the Disciplinary Committee purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the Disciplinary Committee when the decision was deferred.
- (3) For the purpose of subsection (1)(b) of this section, a person shall not be treated as convicted as unless the conviction stands at a time when no appeal, further appeal or application for extension of time to appeal out of time is pending in connection with the conviction. '
- (4) When the Disciplinary Committee gives directive under subsection (1) of this section, the Disciplinary Committee shall cause notice of the directive to be served on the person to whom it relates.
- (5) The person to whom a directive given under subsection (1) of this section relates, may, at any time within 30 days from the date of service on him of notice of the directives, appeal against the directives to the Federal High Court and the Disciplinary Committee 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 Disciplinary Committee shall be deemed to be a party whether or not it appears on the hearing of the appeal.
- (6) A directive of the Disciplinary Committee under subsection (1) of this section shall take effect where -
 - (a) no appeal under this section is brought against the directive within the time limited for the appeal;
 - (b) the appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal and striking out of the appeal;
 - (c) the appeal is brought and is not withdrawn or struck out if and when the appeal is dismissed.
- (7) A person whose name has been struck off the register in pursuance of a directive of the Disciplinary Committee under this section shall not be entitled to be registered again except in pursuance of a direction in that behalf given by the Disciplinary Committee on the application of that person.
- (8) A directive under this section for the striking off of the name of a person from the register may prohibit an application under subsection (7) of this section 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.

- (9) The Board shall make rules as to what acts constitute professional misconduct, for the procedures of the Investigating Panel and Disciplinary Committee; mode of appeal and serving of notice and matters incidental to the duties of the Investigating Panel and Disciplinary Committee that are not provided for in this Act.

Committee's Recommendation:

Leave out the provision in Subclause 32(9) (Senator Felix O. Ibru) — Agreed to.

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33:

Qualified but Unenrolled Persons:

Any person not being a member of the former Institute, who but for this Act would have been qualified to apply for and obtain membership of the former Institute, may within the period of six months from the commencement of this Act apply for membership of the Institute in such a manner as may be prescribed in rules made by the Board and where an application under this section is approved by the Board, the applicant shall be enrolled or registered according to his qualification.

Committee's Recommendation:

That the provisions in Clause 33 be retained (Senator Felix O. Ibru) — Agreed to.

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34:

Private practice:

- (1) A person shall be deemed to practise privately as Certified Secretary or Certified Verbatim Reporter (in this Act referred to as "the profession") if, in consideration of remuneration, he engages in activities designated by the Board to be service constituting private practice.
- (2) Nothing in subsection (1) of this section shall be construed as exempting persons who, while in employment, are required under the terms or in the course of such employment to perform the duties of a professionally Certified Secretary or Certified Verbatim Reporter or both.

Committee's Recommendation:

That the provisions in Clause 34 be retained (Senator Felix O. Ibru) - Agreed to.

Question that Clause 34 do stand part of the Bill, put and agreed to.

Clause 35:

Training, subscription, etc of members of the profession:

The-

supervision and regulation of employment;

subscription and renewal of subscription;

licence to practise and practising fees; and

restriction of right to practice privately, of persons engaged in the profession shall be regulated by the Board.

- (a) training

Committee's Recommendation:

That the provisions in Clause 35 be retained (Senator Felix O. Ibru) — Agreed to.

Question that Clause 35 do stand part of the Bill, put and agreed to.

Clause 36:

Penalties:

- (1) Any person who-
 - (a) for the purpose of procuring the enrolment or registration of any

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makes a statement which is false materially; or

- (b) is not a member of the Institute but takes or uses any name, title or description implying that he is a member of or affiliated to the Institute after the commencement of this Act; and
 - (c) being the Registrar or any other person employed by or on behalf of the Institute, willfully makes any falsification in any matter relating to **the Register**,
- (2) commits an offence and is liable upon -
- (a) summary conviction to -
 - (i) a fine not exceeding N5,000;
 - (it) a term of imprisonment not exceeding three months, (in) **or** both; or
 - (b) conviction on indictment to -
 - (i) a fine not exceeding N10,000.00,
 - (ii) a term of imprisonment not exceeding three months,
 - (iii) or both.

Committee's Recommendation:

That the provisions in Clause 36 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 36 do stand part of the Bill, put and agreed to.

Clause 37: Library, Research etc:

- (1) The Board shall provide and maintain a library for the Institute.
- (2) The library shall comprise books and publications which the Board may deem necessary for the advancement of the profession.
- (3) The Board shall encourage research in the profession and allied subjects.

Committee's Recommendation:

That the provisions in Clause 37 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 37 do stand part of the Bill, put and agreed to.

Clause 38: Seal:

The fixing of the seal of the Institute shall be authenticated by the signature of the Registrar and the President of the Institute or some other members of the Board authorised to do so.

Disclosure of interest

Any member of the Board or a Committee of the Board who has a personal interest in any contract to be considered or entered into by the Institute shall disclose such interest to the Board and shall not vote on any question relating to the contract.

Committee's Recommendation:

That the provisions in Clause 38 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

*Question that Clause 38 do stand part of the **Bill**, put and agreed to.*

Clause 39: Saving and Transitional Provisions:

Members of the former Institute shall be registered as members of the Institute and staff of the former Institute shall become staff of the Institute with corresponding status.

Committee's Recommendation:

That the provisions in Clause 39 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 39 do stand part of the Bill, put and agreed to.

Clause 40:**Amendment:**

Any amendment to this Act shall be proposed to the members at an annual general meeting of the Institute and, if approved by a two-thirds majority of the members present and voting, shall be notified to the Government Department.

Amendment Proposed:

Leave out the provision in Clause 40 and *insert* the following instead thereof: "Any proposal for amendment to this Act by a Member or Members shall be presented at an Annual General Meeting of the Institute and if approved by two-thirds majority of Members present, shall be sent to the National Assembly" (*Senator Timothy Adudu*).

Question that the amendment be made put and agreed to.

Question that Clause 40 as amended do stand part of the Bill, put and agreed to.

Clause 41:**Interpretation:**

In this Bill -

"fees" includes all subscriptions;

Question, That the word "fees" be as defined in the Interpretation to this Act, put and agreed to.

"former Institute" means the Institute of Certified Secretaries and Reporters;

Question, That the words "former Institute " be as defined in the Interpretation to this Act, put and agreed to.

"President"

Question, That the word "President" be as defined in the Interpretation to this Act, put and agreed to.

"professional member of the Institute" means an enrolled professional fellow, member, associate and graduate qualified to practice the profession;

Question, That the words "professional member of the Institute" be as defined in the Interpretation to this Act, put and agreed to.

"profession" means the art and science of Secretaryship and Verbatim Reporting for dissemination of information for management decision making and for the guidance of effective executive actions.

Question, That the word "profession" be as defined in the Interpretation to this Act, put and agreed to.

"registered affiliate student" means person undergoing an academic program leading to the qualification and career in the profession; and

Question, That the words "registered affiliate student" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:

That the provisions in Clause 41 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 41 do stand part of the Bill, put and agreed to.

- Clause 42: Citation:
This Bill may be cited as the Chartered Institute of Certified Secretaries and Reporters of Nigeria Bill, 2005.
- Long Title: A Bill for an Act to establish the Institute of Certified Secretaries and Reporters for the registration and discipline of Certified Secretaries and Reporters and to provide for a governing Board charged with the responsibility among other things, for formulation of policies for the institute; and for connected purposes (*Senator Felix O. Ibru*) — *Agreed to.*

FIRST SCHEDULE

Section (9)

MEETINGS

- 1- The Board may make standing orders regulating the proceedings of meetings of the Institute and the Board.
2. Any question proposed for decision in the meeting of the Board or the Institute shall be determined by a simple majority of those present and voting; and any person presiding in any of these meetings shall not cast a vote on any issue except when there is a tie.
3. The quorum for any meeting of the Board shall be seven (7) members that of the meeting of the Institute shall be twenty- five per cent of the registered members of the Institute.
4. The Board may form Committee's for the discharge of its functions and it may co-opt into a Committee any person whose advice it desires to obtain but such person shall not vote, on any question, The quorum for any committee shall be as set out in the standing orders mentioned in paragraph I of this Schedule, The decision of any Committee is subsection to ratification by the Board,
5. The Board shall convene the annual general meeting of the Institute on or, before 30th April in every year or on such other day that the Board may appoint so however that if an annual general meeting is not held within one year after the previous one, not more than fifteen (15) months shall elapse between the respective dates of the two meetings.
6. An extra-ordinary general meeting may be convened by the Chairman of the Board, if no less, than twenty percent of the members of the Institute require, it by notice in writing addressed to the Registrar of the Institute, setting out the objects of the proposed meeting.
7. The Board shall meet whenever summoned by the Chairman; and if not less than seven members by notice in writing to the Chairman require him to convene a meeting, he shall do so within seven (7) days from the day on which the notice was given.

Question that Section 9 under the Head "Meetings " stand part of the Schedule to the Bill — Agreed to.

SECOND SCHEDULE

Section 32

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY
COMMITTEE AND INVESTIGATION PANEL ♦

1. The quorum for the Disciplinary Committee shall be four (4) member (two, Certified Secretaries and two Certified Verbatim Reporters) while the quorum for die Investigating Panel shall be three (3) members.
2. The Board shall make standmg orders to regulate the modalities for the investigations.
3. No person shall be member of both the Disciplinary Committee and the Investigating Panel on the same case.

4. The expenses incurred by both the Disciplinary Committee and the Investigating Panel shall be defrayed from the Institute's Fund.

Question that Section 32 under the Head "Supplementary Provisions Relating to the Disciplinary Committee and Investigation Panel" stand part of the Schedule to the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service Matters on the Institute of Certified Secretaries and Official Reporters Bill 2006 and approved as follows:

Clauses 1	—	As Amended
Clauses 2 — 3	—	As Recommended
Clause 4	—	As Amended
Clauses 5 — 39	—	As Recommended
Clause 40	—	As Amended
Clauses 41 — 42	—	As Recommended
Schedules 1 and 2	—	As Recommended
>		
Long Title	—	As Amended

Question that the Senate do adopt the report of the Committee of the Whole — Resolved in the Affirmative.

Motion made and Question Proposed: That the Bill be read the Third Time (Senate Majority Leader).

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

9. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Wednesday 15, November 2006 at 10.00 a.m. (Senate Majority Leader).

Adjourned accordingly at 1.55p.m.

Ken Nnamani
President of the Senate