

1 (i) registered travel and tour management companies accredited by
2 the International Air Transport Association (IATA),

3 (ii) in good financial standing with the Council and IATA, and
4 (iii) be registered with the NCAA; and

5 (b) Associate Member which shall:

6 (i) registered but non IATA accredited travel and tour management
7 companies operating within Nigeria,

8 (ii) be registered with NCAA and are in good financial standing with
9 the Council,

10 (iii) not be eligible to hold executive offices, can exercise voting
11 rights in any election but non IATA member may be eligible to hold a national
12 executive office in the absence of an IATA member.

13 (2) Applications for membership of the Council shall be made in
14 writing on a prescribed, and a member shall on admission be bound by the rules
15 and regulations of the Council, and the code of conduct for members.

16 (3) A person shall be refused membership if considered likely to bring
17 the Council into disrepute or otherwise to prejudice the interest and objectives
18 of the Council.

19 (4) The Executive Council shall have the right to refuse membership
20 in such circumstances by two-third majority of members present and voting at
21 the meeting.

22 (5) A member who refused membership under this section may have
23 the opportunity to re-apply to the Committee and notice of any such
24 reapplication shall be given in writing to the Executive Secretary within 14
25 days of the member being notified in writing that the Committee has refused
26 his membership.

Registration fees
and subscriptions

27 **4.** The registration fees and annual subscriptions payable by members
28 are determined at the Annual General Meeting on the recommendations of the
29 Council.

- 1 **5.** The Council shall: Functions of the
Council
- 2 (a) promote standards of professional competence and practice
- 3 amongst members of the Council;
- 4 (b) perform market research and survey in the travel industry and
- 5 related matters and the publication of books, periodicals, journals and
- 6 articles in connection with travel and tour;
- 7 (c) adopt required measures to avoid unfair competition among
- 8 Council members;
- 9 (d) promote international recognition of the Council and to
- 10 represent members at international organisations and international events;
- 11 (e) advise approved training institutions on matters relating to
- 12 instructions and examination of standards and policies;
- 13 (f) provide opinion when required to relevant government bodies;
- 14 (g) ensure that registered members and the Council comply with
- 15 the International Air Transport Council (IATA), Agency Programme Joint
- 16 Council (APJC) and Universal Federation of Travel Agents Council
- 17 (UFTAA) regulations respectively in addition to such regulations as may be
- 18 enacted by the Federal Government of Nigeria;
- 19 (h) make such regulations as may be necessary to facilitate the
- 20 smooth operations of travel agencies and tour operators in Nigeria;
- 21 (i) ensure compliance with rules and regulations that has been
- 22 agreed upon by members of the Council among themselves and other related
- 23 bodies;
- 24 (j) promote cordial relationship between its members and other
- 25 bodies, institution and companies affiliated with travel and tourism
- 26 industry;
- 27 (k) encourage the promotion of travel and tourism within the
- 28 Nigeria in particular and the rest of the world in general; and
- 29 (l) perform such other functions as are prescribed under any other
- 30 provision of this Act.

Establishment
and Composition
of Incorporated
Trustees

- 1 **6.**-(1) There is established for the Council, a Governing Body (in this
2 Act referred to as "the Incorporated Trustees") consisting of:
3 (a) a representative from each zone;
4 (b) two members from the Council;
5 (c) a representative from the national Association of Nigeria travel
6 Agencies (NANTA),
7 who shall be persons of proven integrity.
8 (2) A member of the Incorporated Trustees shall:
9 (a) be appointed on the recommendation of the Executive Council by
10 a two-thirds majority vote at an Annual General Meeting; and
11 (b) serve as member for 10 years subject to renewal for another 10
12 years and no more.
13 (3) A Incorporated Trustees member ceases to hold office on:
14 (a) resignation in writing;
15 (b) death or permanent incapacity;
16 (c) removal by the Council;
17 (d) inability to own a Travel Agency; or
18 (e) having served for two terms.
19 (4) A person is qualified to be appointed as member of the
20 Incorporated Trustees if:
21 (a) he owns a travel and tour company and has been in the business for
22 a minimum of 10 years;
23 (b) he is an active member of the Council as an executive at zonal or
24 national level.
25 (5) A person shall not be qualified to be a member of the Incorporated
26 Trustees if he:
27 (a) is a person of unsound mind and adjudged to be so by a court of
28 competent jurisdiction;
29 (b) is an undischarged bankrupt; or

1 (c) has been convicted of a criminal offence by a court of
2 competent jurisdiction.

3 7. A member of the Board may be removed from office on the
4 recommendation of the zone he represents and such recommendation shall
5 be rectified by two-thirds majority of the members voting at an Annual
6 General Meeting on grounds of:

Removal of a
Incorporated
Trustees member

7 (a) gross misconduct in respect of the affairs of the Council;

8 (b) gross misconduct that is capable of bringing the name of the
9 Council to disrepute;

10 (c) inability to perform the functions of the Incorporated Trustees.

11 8.-(1) The Incorporated Trustees:

Powers of the
Incorporated
Trustees

12 (a) shall act as the custodians of the properties of the Council and
13 approve any purchase or sale of landed property by the Council;

14 (b) may with the prior approval of the Executive Council, borrow,
15 lend or otherwise raise money in such manner, including by way of
16 executing securities and guarantees, as it may determine;

17 (c) shall arbitrate and conciliate in the event of disputes between
18 members at the request of the members involved;

19 (d) shall request Council meetings by giving 14 days' notice and to
20 table before such meetings any issue for consideration;

21 (e) shall give impartial interpretation of the rules and regulation of
22 the council; and

23 (f) shall act on all lawful recommendations of the Executive
24 Council.

25 (2) Whenever the Incorporated Trustees has reasonable cause to
26 investigate a matter or petition relating to, arising from or in connection with
27 the affairs, interests, integrity, finances and financial management of the
28 Council, it may:

29 (a) co-opt or delegate any member of the Council or appoint a
30 professional individual to carry out such enquiry;

1 (b) agree with such professional person on reasonable fees to be paid
2 by the Council for all the services rendered;

3 (c) summon any member to appear for such enquiry, request for any
4 information or document from any member, management or staff of the
5 Council.

6 (3) Any member summoned shall:

7 (a) honour the invitation and provide all documents that may be
8 demanded;

9 (b) honour the invitation to appear in any proceeding relating to the
10 inquiry; and

11 (c) be penalised in accordance with the provisions of section 22 of this
12 Act.

Duties of the
Incorporated
Trustees

13 **9.** The Incorporated Trustees shall:

14 (a) protect and ensure the observance of the laws, rules and
15 regulations of the Council;

16 (b) protect the property of the Council;

17 (c) act as an advisory body to the Council; and

18 (d) appoint a chairman of the Incorporated Trustees from amongst
19 themselves.

Establishment
of Executive
Council

20 **10.**-(1) There is established for the Council the Executive Council,
21 which shall govern the Council.

22 (2) Subject to this Act, all things done in the name or on behalf of the
23 Council, by the Executive Council is deemed to have been done by the Council.

24 (3) The Executive Council shall issue standards of professional
25 practice which shall form the basis of the travel trade for members of the
26 Council in the formulation of travel services.

27 (4) The Executive Council shall, with the approval of the members in
28 an Annual General Meeting, issue bye-laws, regulations and guidelines to
29 govern matters affecting the operations and practice by members of the
30 Council.

- 1 (5) The Executive Council shall consist of:
- 2 (a) National President;
- 3 (b) First Deputy President;
- 4 (c) Second Deputy President;
- 5 (d) Vice-Presidents - Lagos, North, East, West and Abuja Zones;
- 6 (e) Financial Secretary;
- 7 (f) Treasurer;
- 8 (g) Publicity Secretary;
- 9 (h) Internal Auditor;
- 10 (i) a representative of the NCAA appointed by the Minister
- 11 responsible for aviation;
- 12 (j) one member to represent the national carrier;
- 13 (k) the immediate past President; and
- 14 (l) such other person who is a member may be co-opted by the
- 15 Council.
- 16 (6) The Executive Council shall be spread across the zones.
- 17 (7) The tenure of each member of the Executive Council shall be
- 18 two years only.
- 19 **11.** The functions of the Executive Council shall be to execute
- 20 policies for the smooth running of the Council and such other functions as
- 21 the Annual General Meeting may determine.
- 22 **12.**-(1) There shall be an Executive Secretary of the Council who
- 23 shall be appointed or be removed from office by the Executive Council on
- 24 recommendation of the National President.
- 25 (3) The Executive Secretary shall:
- 26 (a) be the Chief Executive Officer of the Council;
- 27 (b) manage the Councils Secretariat and its staff and serve as the
- 28 Administrative Manager of the Council;
- 29 (c) report to the National President on all activities of the
- 30 Secretariat and all staff matters;

Functions of the
Executive Council

Executive
Secretary

- 1 (d) be paid such sums as salary and allowances as may be approved by
2 the Executive Council; and
- 3 (e) be the secretary to the council as well as secretary to all
4 committees of the Council.
- 5 (5) All documents of the Council shall be kept in safe custody in the
6 Secretariat.
- Audit 7 **13.**-(1) The Executive Council shall appoint or re-appoint a firm of
8 audit at an Annual General Meeting.
- 9 (2) The firm shall be appointed by simple majority votes and removed
10 by same.
- 11 (3) The firm shall present its report at the Annual General Meeting
12 having circulated a draft copy to the Executive Council 21 days before the
13 meeting.
- Committees of 14 **14.** The Council may set up such committees as are necessary for the
the Council 15 performance of the functions of the Council and may, subject to the provisions
16 of this Act, delegate powers conferred on it to such committees.
- Membership 17 **15.**-(1) There is established a Membership Registration Committee
Registration 18 (in this Act referred to as "the Registration Committee") consisting of seven
Committee and 19 members to be appointed by the Executive Council.
its functions 20 (2) The Registration Committee shall:
- 21 (a) receive, consider and approve applications for registration as a
22 travel agent and grant practising certificates and annual licences in accordance
23 with the provisions of this Act;
- 24 (b) monitor compliance with professional quality assurance and other
25 standards published by the Council for observance by members of the Council;
- 26 (c) where appropriate, recommend to the Council that a member's
27 conduct be referred for inquiry under appropriate section of this Act;
- 28 (d) advise the Council on matters pertaining to professional and other
29 standards necessary for achievement of quality assurance; and
- 30 (e) perform any other function incidental to fulfilment of its

1 objectives under this Act.

2 (3) In the performance of its functions under this section, the
3 Registration Committee may:

4 (a) undertake such investigations as it deems appropriate; and

5 (b) requisition evidence, examine records and documents prepared
6 or held by, or likely to be availed to the member under investigation.

7 (4) Where the Registration Committee makes a recommendation
8 under subsection 2 (c), the Council shall refer the matter for inquiry to the
9 appropriate committee.

10 (5) The Council shall provide the Registration Committee with
11 such facilities and resources as are necessary to enable it perform its
12 functions.

13 (6) In the exercise of its functions under this Act, the Registration
14 Committee shall regulate its own procedure and shall not work under the
15 direction of any person.

16 (7) The Secretary to the Council shall serve as the Secretary to the
17 Registration Committee but is not entitled to vote.

18 PART II - PRACTISING CERTIFICATES AND REGISTRATION OF
19 TRAVEL AND TOUR AGENTS

20 **16.**-(1) A person shall not practise as a travel agent unless he is a
21 holder of a practising certificate and a licence to practice issued by NANTA
22 or IATA.

Requirements
for practising
certificates

23 (2) Any person who contravenes subsection (1) commits an
24 offense and is liable on conviction to a fine not exceeding N1,000,000 or to
25 imprisonment for a term not exceeding three years or both.

26 **17.** Subject to this section, a person is practising as a travel agent if,
27 in consideration of remuneration or other benefits received or to be received,
28 and whether himself or in partnership with other persons or as a body
29 corporate for which he is a member, such person:

Practicing as a
travel agent

30 (a) enters into negotiations with passenger transport carriers to sell,

1 or distribute their services to the general public for a service fee or commission;
2 and
3 (b) sells on behalf of passenger transport carriers passage over land,
4 sea or air fares and other travel services designed for the general public for a
5 service fee or commission.

Application for
practising
certificate

6 **18.**-(1) A person wishing to obtain a practising certificate shall apply
7 to the Registration Committee.

8 (2) An application for a practicing certificate shall be in a prescribed
9 form and shall be accompanied by a prescribed fee.

Issue of practising
certificate

10 **19.**-(1) Where an application is made by a person in accordance with
11 section 18, the Registration Committee shall issue to such a person a practising
12 certificate if it is satisfied that the person:

13 (a) is registered;

14 (b) has received from a proprietor of any agency who is a holder of a
15 practicing certificate, instruction to apply for such period as may be prescribed;
16 and

17 (c) meets such other requirements as may be prescribed, and, if not
18 satisfied.

19 (2) A practicing certificate issued under this Act remains valid unless
20 it is revoked.

Issue of annual
license

21 **20.**-(1) Where the holder of the practising certificate wishes to
22 practise as an agent, whether as a sole practitioner, partnership or body
23 corporate, he shall apply to the Registration Committee for an annual licence in
24 a prescribed form, furnishing the Registration Committee with such details of
25 the firm as it may require.

26 (2) Where an application is made by a person under subsection (1), the
27 Registration Committee shall issue him with an annual license if it is satisfied
28 that the person:

29 (a) holds a practising certificate; and

30 (b) meets such other requirements as may be prescribed.

1 (3) An annual licence issued under this Act shall be valid from the
2 date of issue to the 31 December of the year of issue and shall be renewed.

3 **21.**-(1) A practising certificate or an annual licence issued to any
4 person shall remain the property of the Council.

Practicing
certificate and
annual licences

5 (2) The Secretary to the Registration Committee shall cause to be
6 kept a register in which is recorded:

7 (a) the name of any person whose application under section 18 of
8 this Act is approved;

9 (b) the fact that a practising certificate is issued to any such person
10 or that any such certificate has ceased to be valid under this Act;

11 (c) particulars of the cancellation of the registration of a person;

12 (d) the fact that the registration of any person is restored under this
13 Act;

14 (e) details of agencies engaged in the travel business including
15 their proprietors, full addresses, contact telephone numbers, email
16 addresses; and

17 (f) such other matters as the Council may determine.

18 (3) The Secretary to the Registration Committee may cause to be
19 made such alterations in the register as are necessary to ensure that the
20 matters recorded in the register are accurate.

21 (4) The register may, at all reasonable hours, be inspected and
22 copies of all or any part of any entry in the register taken:

23 (a) without payment by:

24 (i) any member of the Police Force or any public servant acting in
25 the course of duty; or

26 (ii) any person authorised by the Secretary to the Council;

27 (b) on payment of such fee by any other person as may be
28 prescribed.

29 (5) The register shall be received in proceedings before any court
30 or tribunal as evidence of the matters recorded in it which are required by or

1 under this Act to be so recorded.

2 (6) Proceedings on inquiry under this Act before the Disciplinary
3 Committee are deemed to be proceedings before a tribunal for the purposes of
4 this section.

5 PART III - DISCIPLINARY PROVISIONS

Professional
misconduct

6 **22.** A member of the Council commits professional misconduct if the
7 member:

8 (a) allows any person to practice in his name as a travel agent, unless
9 such person is the holder of a practising certificate and is in partnership with
10 him or employed by him;

11 (b) enters for the purpose of or in the course of practising as an
12 accountant, into partnership as a travel agent with a person who does not hold a
13 practising certificate, or secures any professional business through the services
14 of such person or by means not open to a travel agent;

15 (c) shares or agrees to share directly or indirectly to any person not
16 holding a practising certificate any share, commission or brokerage out of fees,
17 profits of his professional services;

18 (d) solicits clients or professional work or advertises professional
19 attainments or services by use or means which contravene the guidelines
20 published by the Council;

21 (e) discloses information acquired in the process of professional
22 engagement to any person other than a client, without the consent of the client,
23 or otherwise than required by law;

24 (f) fails to observe and apply professional, technical, ethical or other
25 standards prescribed by the Council as guidelines for practice by the members
26 of the Council;

27 (g) is guilty of gross negligence in the conduct of his professional
28 duties;

29 (h) fails to separate carrier funds in a separate bank account or to use
30 any such funds for purposes for which they are not intended;

1 (i) includes in any statement, returns or forms to be submitted to the
2 Council any particulars knowing them to be false;

3 (j) is found to engage in other fraudulent acts and:

4 (i) publishes any advertisement that is in any way misleading to the
5 public or which will reflect upon or institute unfavorable comparisons
6 amongst agents carriers, hotels or any other segment of the travel industry,

7 (ii) willfully interferes with or induces the cancellation of a definite
8 sale by another member or agent after the traveler has made a deposit or paid
9 in full for services to be rendered,

10 (iii) influences through deceit any employee of any common
11 carrier, hotel or travel organisation for the purpose of securing favourable
12 consideration in the assignment of space for any other purpose which may
13 prove to be unethical under this code of conduct,

14 (iv) imitates, stimulates or copies any name, design, style, mark or
15 pattern used by another member agent, hotel or common carrier without
16 specific permission, or

17 (v) display IATA logo within their office premises if the agency has
18 not been approved by IATA; and

19 (k) fails to do any other act which may be prescribed.

20 **23.-(1)** There is established for the Council the Disciplinary
21 Committee.

Establishment
of Disciplinary
Committee

22 (2) The Disciplinary Committee shall consist of six members who
23 shall be appointed in accordance with subsection (3).

24 (3) The members of the Disciplinary Committee shall be appointed
25 by the Incorporated Trustees from amongst persons nominated:

26 (a) four persons nominated by the Council from amongst the
27 members of the Council, of whom one shall be designated as Chairman;

28 (b) one person nominated by the Council from another profession
29 other than travel and tour management companies;

30 (c) one person nominated by an organisation that promotes

1 corporate governance; and

2 (d) the Executive Secretary of NANTA.

3 (4) The quorum of the Disciplinary Committee shall be four.

4 (5) Subject to subsection (6), a member of the Disciplinary
5 Committee shall hold office for three years and may be eligible for
6 reappointment for another term of three year and no more.

7 (6) Where any member of the Disciplinary Committee resigns or for
8 any reason unable to perform his function, the Council shall with the consent of
9 the Incorporated Trustees require the respective nominating body specified in
10 subsection (3) to nominate a replacement for such member for appointment.

11 (7) The Council shall provide the Disciplinary Committee with such
12 facilities and resources as are necessary to enable it perform its functions.

13 (8) The Disciplinary Committee may, subject to the provisions of this
14 Act, regulate its own procedure.

Inquiry by the
Disciplinary
Committee

15 **24.**-(1) Where the Council has reason to believe that a member of the
16 Council may have been guilty of professional misconduct, it shall refer the
17 matter to the Disciplinary Committee to inquire into the matter.

Second Schedule

18 (2) The provisions of the Second Schedule shall have effect with
19 respect to an inquiry by the Disciplinary Committee.

Recommendation
after inquiry

20 **25.**-(1) On the completion of an inquiry under section 24 of this Act
21 into the alleged professional misconduct of a member of the Council, the
22 Disciplinary Committee shall submit to the Council a report of the inquiry
23 recommending that:

24 (a) no further action be taken against the member;

25 (b) the member be reprimanded;

26 (c) the member pays such costs to the Council not exceeding
27 N200,000 as may be determined;

28 (d) the member undertakes training at his own costs of such nature
29 and duration and at such institutions as may be determined;

30 (e) the member pays to the Council a fine not exceeding N100,000;

1 (f) the member discharges his professional obligations under any
2 contractual arrangement subject to the alleged misconduct;

3 (g) any practising certificate held by the member be suspended, or
4 (h) that the registration of the member be cancelled for such period as may be
5 specified.

6 (2) Where the Disciplinary Committee, in a report, makes a
7 recommendation under subsection (1), the Council shall inform the member
8 concerned of the action to be taken against him and the effect of the
9 recommendation of the Disciplinary Committee.

10 (3) A member who is not satisfied with the determination of the
11 Disciplinary Committee under subsection (1) may make an appeal to the
12 Council within 30 days of the communication to him of such determination,
13 providing the grounds upon which the appeal is lodged and upon payment of
14 an appeal fee of N10,000.

15 (4) The Council may, upon receipt of an appeal under subsection
16 (3), direct the Disciplinary Committee to re-open the inquiry and shall, in
17 such direction specify the aspects of the matter it requires the Disciplinary
18 Committee to reconsider.

19 (5) The Disciplinary Committee shall, on complying with the
20 directions of the Council under subsection (4), after concluding the inquiry,
21 submit a report to the Council in accordance with subsection (1).

22 **26.-(1)** A person dissatisfied with the determination of the Appeals
23 Disciplinary Committee under this section may appeal to the High Court
24 against such determination within 60 days of being notified of the
25 determination.

26 (2) On an appeal, the High Court may affirm, with or without
27 variation, of the period for which the person concerned is not to be
28 registered, or the period for which his practising certificate is suspended,
29 confirm the determination of the Disciplinary Committee or allow the
30 appeal.

1 PART IV - MISCELLANEOUS AND GENERAL PROVISIONS

Temporary
registration of
persons not citizens
of Nigeria2 **27.**-(1) Where a person satisfies the Council that he:3 (a) has been selected for employment for a specified period in any
4 capacity registered travel agents under this Act is qualified to be in Nigeria
5 temporarily for the purpose of serving for the employment,6 (b) holds a qualification or has passed the prescribed examinations,
7 and8 (c) would have qualifications granted outside Nigeria accepted by the
9 Council as to qualify him to be registered temporarily as a travel agent, the
10 Council shall register the person temporarily as a travel agent.11 (2) The temporary registration of a person shall continue only while
12 he is in such employment as it is stated in subsection (1) (a) and shall cease at
13 the end of the period of the employment specified to the Council under that
14 subsection or on the determination of the employment.15 (3) Nothing in subsection (2) precludes the Council from giving a
16 further direction under subsection(1) in respect of a specified period whose
17 commencement coincides with the termination or prior determination of
18 another employment.19 (4) A person who is temporarily registered is, in relation to his
20 employment and to things done or omitted to be done in the course of that
21 employment, deemed to be fully registered, but in relation to all other matter,
22 he shall be treated as not so registered.23 (5) In case of doubt as to whether a person's employment has been
24 terminated, the decision of the Council is conclusive for the purpose of
25 subsection (2).26 (6) The Executive Secretary, as directed from time to time by the
27 Council, shall remove from the register the name of any person ceasing to be
28 entitled to the benefit of this section.

Offences

29 **28.**-(1) A person, not being a registered travel agent, who:

30 (a) for or in expectation of reward, practices or holds himself out to

1 practice as such, or

2 (b) without reasonable excuse takes or uses any name, title,
3 addition or description implying that he is authorised by law to practice as a
4 registered travel agent,
5 commits an offence under this Act.

6 (2) If a person for the purpose of procuring the registration of any
7 name, qualification or other matters:

8 (a) makes a statement which he believes to be, or

9 (b) recklessly makes a statement which is false,

10 he commits an offence under this Act.

11 (3) If the Executive Secretary or any other person employed by the
12 Council willfully makes any falsification in any matter relating to the
13 register, he commits an offence under this Act.

14 (4) A person who commits an offence under this Act is liable:

15 (a) on conviction in a High Court, to a fine not exceeding
16 N50,000.00 or imprisonment for a term not exceeding five years or both;
17 and

18 (b) where the offence is a continuous one, to a further fine not
19 exceeding N20,000.00 for each day the offence continues.

20 (5) Where an offence under this section is committed by a body
21 corporate, and is proved to have been committed with the consent or
22 connivance of, or to be attributable to any neglect on the part of any director,
23 manager, secretary or any person purporting to act in any such capacity he,
24 as well as the body corporate, commits an offence and is liable on conviction
25 to a fine not exceeding N50,000 for each day the offence continues.

26 **29.**-(1) Subject to the provisions of this section, a person not
27 otherwise exempted shall not hold an appointment requiring status as travel
28 agents under this Act in the:

29 (a) Public and Civil Service of the Federation or of a State;

30 (b) in the Armed Forces of the Federation; or

Supplementary
provisions

1 (c) public or private limited or unlimited liability organisations unless
2 he is a registered travel agent under this Act.

3 (2) A travel agent is, but to the extent only of his particular
4 qualification, entitled to practise as a registered travel agent throughout the
5 Federation.

6 (3) A person in charge of any university or institution in the Federation
7 offering courses leading to an approved qualification intended for persons who
8 are seeking to become registered as travel agents under this Act shall furnish
9 the Registrar, not later than 31 day of March in every year, with a list of the
10 names and such other particulars, as the Council may specify, of all persons
11 who attended such courses at the university or institution in question at any
12 time during the preceding year.

13 (4) In this section, "public service" includes service as a registered
14 travel agents in or with any educational institution, commission, corporation or
15 State-owned or joint venture company and any employment in the Federation.

Control of Council
by Minister

16 **30.** The Minister may give to the Council directions of a general
17 character or relating to particular matters (but not to any individual person)
18 with regard to the performance by the Council of its functions and the Council
19 shall comply with the directions, provided that the direction does not infringe
20 on the ethics and codes of conduct of the profession.

Regulations,
rules and orders

21 **31.**-(1) The Council shall have power to make rules and regulations,
22 as expedient for giving full effect to the provisions and administration of this
23 Act to be published in the Federal Government Gazette.

24 (2) Any power to make regulations, rules and orders under this section
25 shall include power to make:

26 (a) provision for such incidental or supplemental matters as the
27 person or authority making the instrument consider expedient for the purpose
28 of the instrument; and

29 (b) different provisions for different circumstances.

1	32. In this Act:	Interpretation
2	"Association" means the National Association of Nigeria Travel Agencies	
3	(NANTA);	
4	"annual licence" means an annual license issued under this Act;	
5	"approved qualification" means such qualification which is approved for the	
6	time being by the Council;	
7	"Executive Council" means the Council for the Regulation of Travel Agents	
8	of Nigeria established under section 1 (1) of this Act;	
9	"Executive Council" means the Executive Council of the Council	
10	established under this Act;	
11	"IATA" means International Air Transport Association;	
12	"Minister" means the Minister responsible for the matters relating to	
13	aviation;	
14	"NANTA" means National Association of Nigeria Travel Agencies;	
15	"practice as a travel agent" means the doing in connection with the selling of	
16	passenger travel via air, rail, sea or road for a valuable consideration on	
17	behalf of principal carriers of such conveyances;	
18	"practising agent" means a person or a body corporate of which he is a	
19	member who:	
20	(a) receives payment for acts done by way of practice as a travel	
21	agent by him, or by a partner or body corporate, or by an employee of his or	
22	of a partnership or by any person acting on his behalf; or	
23	(b) holds himself or itself out as being prepared, in return for	
24	payment, to undertake the doing by any such person of acts by way of	
25	practice as a travel agent: Provided that in this subsection "payment shall not	
26	include payment limited to the reimbursement of expenses or payment of	
27	salary by an employer to an employee;	
28	"President" means the President of the Council and includes a person elected	
29	to act as President;	
30	"profession" means the profession of travel agency;	

1 "register" means the travel and tour management companies prepared and
2 maintained under this Act; and

3 "travel agents" means any person fully registered as such under this Act;

Citation

4 **33.** This Bill may be cited as the Council for the Regulation of Travel
5 and Tour Management Companies of Nigeria (Establishment) Bill, 2024.

6 SCHEDULES

7 FIRST SCHEDULE

8 *Section 1 (2)*

9 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

10 *Qualifications and Tenure of Office of members*

11 1.-(1) A person shall not be appointed a member of the Council unless
12 he is a citizen of Nigeria and he is registered as a travel agent under this Act.

13 (2) Subject to the provisions of this paragraph, a person who is a
14 member of the Council otherwise than by virtue of section 3 (1) of this Act shall
15 hold office for a period not exceeding four years beginning with the date of his
16 appointment or election, as the case may be:

17 Provided that a person shall not hold office, whether appointed or
18 elected, for at least four years unless the Minister, after consultation with the
19 Council, otherwise directs.

20 (3) Any member of the Council holding office otherwise than as
21 mentioned in subparagraph (2) may, by notice to the Council, resign his office.

22 (4) Subject to paragraph 3 of this Schedule, a person who has ceased
23 to be a member of the Council is eligible to become a member of the Council
24 again.

25 (5) Where a member of the Council ceases to hold office before the
26 date when his term of office would have expired by effluxion of time, the body
27 or person by whom he was appointed or elected shall, immediately, appoint or,
28 as the case may be, elect a person to fill the vacancy for the residue of the term,
29 but the provisions of this subparagraph shall not apply where a person holding
30 office as a member of the Council ceases to hold office at a time when the

1 residue of his term does not exceed one year.

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

4 (a) during the period beginning with the date when this Act comes
5 into effect, be exercisable by the Minister on the recommendation of the
6 Council; and

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

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

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

19 *Power of the Council*

20 2.-(1) The Council shall have power to do anything which, in its
21 opinion is calculated to facilitate the carrying on of its activities.

22 (2) The Council shall have power to borrow money or to dispose of
23 any property and it shall have power to pay remuneration (including
24 pensions) allowances, or expenses to any member, officer or servant of the
25 Council or to any other person.

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

1 number of persons determined by the Council, and not more than one-third
2 of those persons may be persons who are not members of the Council, and a
3 person other than a member of the Council shall hold office on the
4 Committee in accordance with the terms of the instrument by which he is
5 appointed.

6 (3) A decision of a Committee of the Council is of no effect until it
7 is confirmed by the Council.

8 *Miscellaneous*

9 8.-(1) The affixing of the seal of the Council shall be authenticated
10 by the signature of the President or of some other member authorised
11 generally or specifically to act for that purpose by the Council.

12 (2) Any contract or instrument which, if made or executed by a
13 person not being a body corporate would not be required to be under seal,
14 may be made or executed on behalf of the Council by any person generally
15 or specially authorised to act for that purpose by the Council.

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

19 9. The validity of any proceeding of the Council or of a Committee
20 is not affected by:

21 (a) any vacancy in the membership of the Council or Committee;

22 (b) any defect in the appointment of a member of the Council or of a
23 person to serve on the Committee; or

24 (c) reason that a person not entitled to do so took part in the
25 proceedings.

26 10. A member of the Council or any person holding office on a
27 Committee of the Council who has a personal interest in any contract or
28 agreement entered into or proposed to be considered by the Council or a
29 Committee immediately disclose his interest to the Council and shall not
30 vote on any question relating to the contract or arrangement.

1 11. A person shall not, by reason of his membership of the Council, be
2 treated as holding an office in the Public Service of the Federation or of
3 State.

4 SECOND SCHEDULE

5 *Section 24(2)*

6 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

7 TRIBUNAL AND INVESTIGATING PANEL

8 *The Tribunal*

9 1. The quorum of the Tribunal shall be four.

10 2.-(1) The Chief Justice of Nigeria shall make rules as to the
11 procedure to be followed and the rules of evidence to be observed in
12 proceedings before the Tribunal.

13 (2) The rules shall, in particular provide:

14 (a) for securing that notice of the proceedings shall be given, at such
15 time and in such manner as may be specified by the rules, to the person who is
16 the subject of the proceedings;

17 (b) for determining who, in addition to the persons mentioned, shall
18 be a party to the proceedings;

19 (c) for securing that any party to the proceedings shall, if so required,
20 be entitled to be heard at the Tribunal;

21 (d) for enabling any party to the proceedings to be represented by a
22 legal practitioner;

23 (e) subject to section 21 (4) (b) of this Act, as to the costs of
24 proceedings before the Tribunal;

25 (f) for requiring, in a case where it is alleged that the person who is the
26 subject of the proceedings is guilty of infamous conduct in any professional
27 respect, that where the Tribunal adjudges that the allegation has not been
28 proved, it shall record a finding that the person is not guilty of such conduct in
29 respect of the matters to which the allegation relates; and

30 (g) for publishing, in the Federal Government Gazette, notice of any

1 direction of the Tribunal which has taken effect providing that a person's
2 name shall be struck off a register.

3 (3) For the purposes of any proceeding before the Tribunal, any
4 member of the Tribunal may administer oaths and any party to the
5 proceedings may sue out of the registry of the High Court, as the case may
6 require, writs of *subpoena ad testificandum* and *ducestecum*, but no person
7 appearing before the Tribunal shall be compelled:

8 (a) to make any statement before the Tribunal tending to
9 incriminate himself; or

10 (b) to produce any document under such a writ which he could not
11 be compelled to produce at the trial of an action.

12 3.-(1) For the purpose of advising the Tribunal on questions of law
13 arising in the proceedings before it, there shall, in all such proceedings, be an
14 assessor to the Tribunal who shall be appointed by the Council on the
15 nomination of the Chief Justice of Nigeria and shall be a legal practitioner of
16 at least seven years standing.

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

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

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

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

1 which he is appointed.

2 *The Panel*

3 4. The quorum of the Panel is three.

4 5.-(1) The Panel may, at any meeting attended by at least six
5 members, make standing order with respect to the Panel.

6 (2) Subject to the provisions of any such standing order, the Panel may
7 regulate its own procedure.

8 *Miscellaneous*

9 6.-(1) A person ceasing to be a member of the Tribunal or the Panel is
10 eligible for re-appointment as a member of that body.

11 (2) A person may, if otherwise eligible, be a member of both the
12 Tribunal and the Panel, but no person who acted as member of the Panel with
13 respect to any case shall act as a member of the Tribunal with respect to that
14 case.

15 7. The Tribunal or Panel may act notwithstanding any vacancy in its
16 membership and the proceedings of either body shall not be invalidated by any
17 irregularity in the appointment of a member of that body, or (subject paragraph
18 6(2) of this Schedule) by reason of the fact that any person who was not entitled
19 to do so took part in the proceedings of that body.

20 8. The Tribunal and Panel may each sit in two or more divisions.

21 9. Any document authorised or required under this Act to be served on
22 the Tribunal or the Panel shall be served on the Executive Secretary.

23 10. Any expenses of the Tribunal or Panel shall be defrayed by the
24 Council.

25 11. A person shall not, by reason only of his appointment as an
26 assessor to the Tribunal or as a member of the Panel, be treated as holding an
27 office in the Public Service of the Federation or of any State thereof.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Council for the Regulation of Travel and Tour Management Companies of Nigeria; provide for the registration of persons who by way of business, negotiate for or otherwise act in relation to selling of travel services on behalf of transport carriers to facilitate carriage by air, rail, sea or road of passengers and for the control, regulation and orderly development of passenger travel distribution in Nigeria.