

# A BILL

## FOR

AN ACT TO ESTABLISH THE MEDICAL PHYSICS REGULATORY COUNCIL OF NIGERIA CHARGED WITH THE RESPONSIBILITY TO REGULATE AND CONTROL THE MEDICAL PHYSICS PROFESSION, REVIEW STANDARDS FOR THE MEDICAL PHYSICS PRACTICE, IMPROVE QUALITY OF SERVICES RENDERED, APPOINT, PROMOTE AND DISCIPLINE MEMBERS OF THE COUNCIL, MAKE POLICIES FOR THE ADVANCEMENT OF MEDICAL PHYSICS IN NIGERIA, AND FOR RELATED MATTERS

*Sponsored by Hon. Ibrahim Aliyu*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

### PART I - ESTABLISHMENT OF MEDICAL PHYSICS REGULATORY

#### COUNCIL OF NIGERIA

1           **1.** There is established a Medical Physics Regulatory Council of  
2 Nigeria (referred to as "the Council" in this Bill) which is a body corporate  
3 with perpetual succession and a common seal, and may sue and be sued in its  
4 corporate name.

Establishment  
of the Medical  
Physics Regulatory  
Council of Nigeria

5           **2.-(1)** The Council shall consist of the following members-

Composition of  
the Council

6           (a) the Chairman who shall be a Medical Physicist who has been so  
7 qualified for not less than ten years;

8           (b) a radiologist clinically and academically engaged in a hospital;

9           (c) a Medical Physicist from any radio diagnosis, nuclear medicine  
10 or radiotherapy centre in the country;

11           (d) a medical physicist representing any of the medical physics  
12 department in any Teaching Hospital in Nigeria;

13           (e) two academic medical physicists each specializing in  
14 diagnostic and therapeutic physics;

- 1 (f) two persons to represent the public interest;
- 2 (g) one oncologist from a radiotherapy department of a medical  
3 school in Nigeria;
- 4 (h) a representative of the Federal Ministry responsible for Health;
- 5 (i) a representative of the Nigerian Nuclear Regulatory Authority with  
6 knowledge of radiation safety;
- 7 (j) the President of the Nigerian Association of Medical Physicist; the  
8 President of the post graduate Medical Physics College of Nigeria;
- 9 (k) a representative of the Federal Ministry responsible for Finance;
- 10 (l) a representative from each accredited training centres; and
- 11 (m) registrar to the Council who shall serve as the Secretary.
- 12 (2) All appointments in this section other than the Chairman, shall be  
13 made by the Minister on the nomination of the bodies from which the  
14 membership of the Council shall be constituted.
- 15 (3) The Chairman of the Council shall be appointed by the President  
16 of the Federal Republic of Nigeria on the recommendation of the Minister.
- 17 **3.-(1)** The Chairman of the Council shall hold office for a term of four  
18 years from the date of his appointment and shall be eligible for re-appointment  
19 for another term of four years and no more.
- 20 (2) The Chairman shall preside over all the meeting of the Council but  
21 in the event of the death, incapacity or inability of the Chairman or for any  
22 reason, a new chairman shall be appointed for the unexpired portion of the term  
23 of office of the erstwhile chairman.
- 24 **4.** The Council shall-
- 25 (a) determine the standards of knowledge and skills to be attained by  
26 persons seeking to become members of the medical physics profession;
- 27 (b) issue appropriate licence to qualified members;
- 28 (c) secure, in accordance with the provisions of this Bill the  
29 establishment and maintenance of register of persons who are qualified to  
30 practice as members of medical physics profession and publish from time to

Chairman of  
Council

Functions of  
the Council

- 1 time the list of such persons;
- 2 (d) review and prepare from time to time the code of conduct which  
3 the Council considers appropriate for the practice of medical physics  
4 profession;
- 5 (e) regulate and control the practice of the profession;
- 6 (f) review standards for medical physics practice in order to  
7 improve quality of services rendered;
- 8 (g) update and modify, as the need may arise, existing standard in  
9 the field of medical physics;
- 10 (h) appoint, promote and discipline the employees of the Council;
- 11 (i) determine the remuneration and condition of service of the  
12 employees of the Council;
- 13 (j) liaise and foster co-operation with international bodies to  
14 promote professionalism in medical physics in the country;
- 15 (k) grant approval for the accreditation of the premises for the  
16 practice of medical physics;
- 17 (l) make policy for the advancement of medical physics practice;
- 18 (m) deal with the general administration of the finance of the  
19 Council;
- 20 (n) make rules with respect to the form and keeping of the register  
21 and making of entries and in particular-
- 22 (i) regulate the making of applications for the enrolment or  
23 registration and providing for the evidence to be produced in support of such  
24 applications;
- 25 (ii) provide for the notification to the Registrar, by the person to  
26 whom any registered particulars relate of any change in those particulars;
- 27 (iii) specify the fees including annual subscription to be paid to the  
28 Council in respect of the entry of the names on the register and authorizing  
29 the Registrar to refuse to enter a name on the register until any fee specified  
30 for the entry has been paid; and

	1	(iv) perform such functions as may be required by the Council under
	2	this Bill.
Powers of the Council	3	<b>5.</b> The Council shall have powers to-
	4	(a) acquire land and landed properties;
	5	(b) fix terms and conditions of service of the employees of the
	6	Council;
	7	(c) establish offices as deemed necessary;
	8	(d) determine the entry eligibility of members into the profession;
	9	(e) set standards for the practice for the profession;
	10	(f) maintain discipline in the profession;
	11	(g) withdraw the certificate and practicing licence of any erring
	12	member of the profession;
	13	(h) charge, receive and review, where necessary, practicing fees, and
	14	other charges;
	15	(i) receive grants and gifts and deploy such appropriately;
	16	(J) deny, grant and withdraw accreditation given in respect of training
	17	and practice of Medical Physics; and
	18	(k) do anything that is necessary for the performance of its functions
	19	under this Bill.
Membership of the Medical Physics Profession	20	<b>6.</b> A person who is admitted to the membership of the medical physics
	21	profession shall be registered as a member in the following categories-
	22	(a) member;
	23	(b) associate member;
	24	(c) fellow; and
	25	(d) honorary member.
	26	PART II - REGISTRY
Appointment of the Registrar	27	<b>7.</b> (1) The Council shall appoint a Registrar for the purpose of this Bill
	28	and such other persons as the Council may deem fit to assist in the performance
	29	of the Registrar's functions under this Bill on terms and conditions of service
	30	applicable in similar regulatory bodies.

1 (2) The Registrar shall be the Secretary to the Council and  
2 Disciplinary Committee.

3 **8.**-(1) The Registrar shall-

Functions of the  
Registrar

4 (a) head the Council Registry;

5 (b) administer the Council Registry;

6 (c) maintain and keep a register which shall contain the names,  
7 addresses, approved qualifications and such other qualifications and  
8 particulars as may be specified in the rules, of all persons who are entitled in  
9 accordance with the provisions of this Bill to be enrolled and who, in the  
10 manner prescribed by such rules apply to be so registered;

11 (d) maintain a register of premises where members of the  
12 profession engage in the practice of the medical physics profession;

13 (e) administer the Registry functions in a way that will ensure the  
14 attainment of the functions of the Council under this Bill;

15 (f) correct, in accordance with the Council's directions, any entry in  
16 the register which the Council considers to be a wrong entry;

17 (g) make, when necessary, alterations to the registered particulars  
18 of the registered persons and premises;

19 (h) remove from the register the name of any registered member  
20 who has died or the person whose temporary registration has ceased; and

21 (i) record the names of registered persons who are in default for  
22 more than six months in the payment of annual subscriptions and take such  
23 action in relation to the default, including removal of names of defaulter  
24 from the register as the Council may direct or require.

25 (2) Where the Registrar-

26 (a) sends by post to any registered person a registered letter  
27 addressed to him at his address on the register enquiring whether the  
28 registered particulars relating to him are correct and receives no reply to the  
29 letter within a period of six months from the date of posting it; and

30 (b) upon the expiration of that period send in the like manner to the

1 person in question a second similar letter and receives no reply to that letter  
2 within three months from the date of posting it, the Registrar may remove the  
3 particulars relating to the person in question from the register.

4 (3) The Registrar may, upon directives received from the Council  
5 return to the appropriate part of the register any particulars removed from the  
6 register under this section.

7 (4) The person whose name has been entered into the register shall be  
8 taken to be a member of the Medical Physics Council of Nigeria.

Publication of  
the register and  
list of corrections

9 **9.**-(1) The Registrar shall-

10 (a) print, publish and put the register on sale to members of the public  
11 not later than two years from the commencement of this Bill;

12 (b) print and publish for sale, every year, either a corrected edition of  
13 the register or list of corrections made to the register;

14 (c) deposit each edition of the register and list of corrections to the  
15 register at the principal office of the Council; and

16 (d) keep the register and the lists so deposited open to members of the  
17 public at all reasonable times for inspection.

18 (2) A document purporting to be a print of an edition of the register  
19 published under this edition by authority of the Registrar in the current year and  
20 of the list of corrections to that edition so published, shall, notwithstanding any  
21 other mode of proof, be admissible in any proceedings as evidence that any  
22 person specified in the document or the list of corrections when read together as  
23 being registered was so registered at the date of the edition or of the list of  
24 corrections and that any person not so specified was not registered.

25 (3) When in accordance with the provisions of subsection (2) of this  
26 section, a person is, in any proceeding shown to have been or not to have been  
27 registered at a particular date, he shall, unless the contrary is proved, be taken  
28 for the purposes of those proceedings as having at all material times continued  
29 to be or not to be so enrolled or registered.



1 Council that-

2 (i) he holds a qualification outside Nigeria accepted by the Council  
3 for the purposes of this subsection as regards the profession;

4 (ii) in the country in which the qualification was granted he was under  
5 no legal disability in the practice of Medical Physics;

6 (iii) he holds a certificate of registration accepted to the Council; and

7 (iv) in addition to any other condition that may be prescribed by the  
8 Council, he had received instructions at the Medical Physics College of  
9 Nigeria and passed such examinations as the Council may prescribe.

10 (5) A person aggrieved by the decision of the Council made under this  
11 section may appeal to the Minister within one month after the notification of  
12 the refusal to register him is communicated to him.

Registration of  
non-Nigerians

13 **11.**-(1) A person who is not a citizen of Nigeria may be registered as a  
14 medical physics member under this Act where the country of which he is a  
15 citizen or national, grant reciprocal registration facilities to Nigerian citizens  
16 and where he-

17 (a) holds a qualification approved by the Council, and

18 (b) has passed the relevant examinations conducted by the Medical  
19 Physics College of Nigeria under this Bill, and

20 (c) has been resident in Nigeria for not less than twelve calendar  
21 months immediately preceding the date of his application for registration.

22 (2) The Council may, in its direction, provisionally accept a  
23 qualification produced in respect of an application produced in respect of an  
24 application for registration under this section or direct that the application be  
25 renewed within such period as may be specified in the direction.

26 (3) An application for registration shall in addition to the provision of  
27 subsection (1) of this section, satisfy the Council that he-

28 (a) is of good character,

29 (b) has attained the year of twenty-one years,

30 (c) has not been convicted in Nigeria or elsewhere of any offence

1 involving fraud or dishonesty, or professional misconduct; and

2 (d) has paid the prescribed fees.

3 (4) An entry made in the register under this subsection (2) of this  
4 section shall show that such registration is provisional and no entry so made  
5 shall be converted to full registration without the consent of the Council.

6 **12.** The Council shall, publish in the gazette particulars of  
7 qualifications accepted for registration from time to time under this Bill. Publication of  
qualification for  
registration

8 PART III - PRACTICING FEES AND PRACTICING LICENCE

9 **13.**-(1) A member of the medical physics profession shall be  
10 entitled to be issued with an annual practicing licence upon payment of  
11 annual practicing fee as may be determined by the Council in a Regulation  
12 made under this Bill. Practicing fees  
and practicing  
licence

13 (2) A member with at least forty-five years post registration  
14 experience shall cease to pay annual practicing fee and shall remain entitled  
15 to be issued with annual practicing licence by the Council.

16 (3) A member shall not practice as a medical physicist until he has  
17 paid the annual practicing fees.

18 (4) The Council may with the approval of the Minister vary the  
19 practicing fees stipulated under this Act from time to time.

20 PART IV -SUPERVISION AND EXAMINATION

21 **14.**-(1) The Council shall keep itself informed of the nature of the-  
22 (a) teaching instructions given at the College and any other  
23 approved institution; and Supervision of  
instructions and  
examination

24 (b) examination of which approved qualifications are granted.

25 (2) For the purposes of subsection (1) of this section, the Council  
26 may appoint a person either from its members or a consultant, to visit the  
27 College or any other approved institutions to attend such examination.

28 (3) It shall be the duty of a visitor appointed under subsection (2) of  
29 this section to report to the Council on-

30 (a) the adequacy of teaching instructions given to persons

1 attending the College and any other approved institution;  
2 (b) the sufficiency of the examination attended by the visitor; and  
3 (c) any other matter relating to the College or approved institutions  
4 which the council may request the visitor to report.

5 (4) A visitor shall not interfere with the giving of any teaching  
6 instruction or holding of any examination.

7 (5) The Council may forward a copy of the report received under  
8 subsection (3) of this section to the President of the College or the person in-  
9 charge of any other institution responsible for examinations to which the report  
10 relates requesting that person to make observation on the report to the Council  
11 within such period as may be stipulated in the request.

12 PART V - APPOINTMENT OF STAFF OF COUNCIL

Staff of Council

13 **15.**-(1) The Council shall employ such number of staff on terms and  
14 conditions in similar regulatory bodies as it may deem it necessary for the  
15 efficient performance of its functions under this Bill.

16 (2) The terms and conditions of service including remunerations,  
17 allowances, benefits and pensions of officers and employees of the Council  
18 shall be determined by the Council subjected to the approval of the National  
19 Income, Salaries and Wages Commission.

20 (3).The employees of the Council shall be entitled to pensions and  
21 other benefits as stipulated under the Pensions Reform Act.

22 (4) For the purpose of the application of the provisions of the Pensions  
23 Reform Act, any power exercisable by the Minister or other authority of the  
24 Federal Government, other than the power to make regulations under the  
25 Pensions Reform Act is vested in and shall be exercisable by the Council and  
26 not by any other person or authority.

27 PART VI - FINANCIAL PROVISIONS

Financial  
Provisions

28 **16.**-(1) The Council shall establish a fund into which shall be paid-

29 (a) budgetary allocations made to the Council by the Federal  
30 Government through the Federal Ministry responsible for Health;

1 (b) fees and levies, including practicing fees;  
2 (c) sums charged for services rendered by the Council; and  
3 (d) other sums that may accrue to the Council from any other  
4 sources including such sums accruing to the Council by way of grants, gifts,  
5 testamentary disposition and endowments or contributions from  
6 philanthropic persons or organizations or otherwise however received.

7 (2) Monies received by the Council by way of endowments, gifts or  
8 donations shall be entered into a register kept for that purpose showing the  
9 names of donors and any special conditions attached to such monies.

10 (3) All property, monies or funds donated for any specified purpose  
11 shall be applied and administered in accordance to the purpose for which  
12 they were donated and shall be accounted for separately.

13 (4) The Council may apply the proceeds from the investment made  
14 with monies from funds established under subsection (1) of this section to-

15 (a) the cost of administration to the Council;

16 (b) reimburse members of the Council or any of its committee for  
17 such expenses as may be expressly authorized by the Council in accordance  
18 with the rates approved by the Federal Government under the Financial  
19 Regulations;

20 (c) the payment of salaries, fees or other remuneration, allowances  
21 and pension payable to the employees of the Council;

22 (d) maintain any property vested in the Council; and

23 (e) give effect to the activities connected with the purposes of the  
24 Council under this Bill.

25 **17.-(1)** The Council may accept the gift of land, money or other  
26 property upon such terms and conditions as may be specified by the persons  
27 or organizations making the gift.

Gifts to the  
Council

28 (2) The Council shall not accept a gift if the terms and conditions  
29 attached by the person or organization making the gift are inconsistent with  
30 the functions of the Council or its position as a non-partisan institution free

	1	form any undue external influence.
Account	2	<b>18.</b> The Council shall keep proper accounts for the period of twelve
	3	month sending on the thirty-first day of December of each year, and proper
	4	records in relation to those accounts notwithstanding any other requirement or
	5	control imposed, whether by an enactment or otherwise, with respect to the
	6	finances of the lands, endowments and other property held by or for the
	7	purposes of the Council.
Annual Budget	8	<b>19.</b> The Council shall prepare an annual budget showing the estimates
	9	or income and expenditure of the Council for the ensuing year and shall submit
	10	the estimate to the Minister no later than three calendar months preceding the
	11	financial year or such earlier date as the Minister may request.
Annual Report	12	<b>20.</b> The Council shall prepare and submit to the Minister not later than
	13	30th June in each year a report in such form as the Minister may direct on the
	14	activities of the Council , during the immediate preceding year and shall
	15	include in the report a copy of the audited account of the Council for that year
	16	and the auditor's report.
Audit	17	<b>21.</b> The Council shall cause its account to be audited by external
	18	auditor appointed by the Council drawn from the approved list of auditors
	19	provided by the office of the Auditor- general of the Federation, immediately
	20	after the end of each financial year to which the accounts relate.
	21	PART VII - MISCELLANEOUS
Offences and penalties-general	22	<b>22.</b> -(1) A person who for the purpose of procuring the registration of
	23	any name, qualification or other matter-
	24	(a) makes a statement which he believes to be false;
	25	(b) recklessly makes a statement which is false; or
	26	(c) wilfully makes any falsification in any matter relating to the
	27	register, commits an offence and is liable on conviction to a fine of not less than
	28	five hundred thousand naira or a term of imprisonment or not less than one
	29	year.
	30	(2) A person other than a medical physicist who-

1 (a) practices or holds himself out as a medical physics practitioner;  
2 (b) takes or uses the title ascribed to a Medical Physics practitioner;  
3 (c) wilfully takes or uses any name, title, addition or description  
4 falsely implying or pretending that he is a medical physics practitioner,  
5 commits an offence and is liable on conviction, to a fine of five million naira  
6 or a term of imprisonment of not less than two years.

7 (3) Where an offence under this section is committed by a body  
8 corporate and approved to have been committed with the consent or  
9 connivance of or attributed to any neglect on the part of a director, manager,  
10 secretary and other similar officer of the body corporate or any person  
11 purporting to act in such capacity, the person, as well as the body corporate  
12 shall be liable to be proceeded against and punished accordingly.

13 **23.-(1) Where-**

14 (a) a member whose name is on the register has been convicted by  
15 the Disciplinary Committee of infamous conduct in any professional  
16 respect;

17 (b) a member whose name is on the register is convicted of a  
18 criminal offence by a court of competent jurisdiction, which in the opinion  
19 of the Disciplinary Committee is incapable with the status of a medical  
20 physics practitioner; or

21 (c) the Disciplinary Committee is satisfied that the name of a  
22 person has been fraudulently registered, the Disciplinary Committee shall  
23 where it deems it fit, give direction-

24 (i) ordering the Registrar to strike out the person's name from the  
25 register,

26 (ii) suspending that person from the practice by ordering him to  
27 stop engaging in the practice of medical physics for such period as may be  
28 specified in the direction, or

29 (iii) admonishing that person, and any such direction may, where  
30 appropriate include provision requiring the refund of monies paid or the

Offences and  
penalty against  
Medical Physicist  
Practitioners

1 handing over of documents or any other thing as the circumstances of the case  
2 may require.

3 (2) Where a member is found by the Disciplinary Committee to be  
4 guilty of misconduct not amounting to infamous conduct which in the opinion  
5 of the Disciplinary Committee is incapable with the status of a medical physics  
6 practitioner, the Disciplinary Committee may, where it deems fit, give such  
7 direction as is authorized under subsection (1) (c) (ii) or (iii) of this section and  
8 any such direction may, where appropriate include direction requiring the  
9 refund of monies paid or the handing over of document or any other thing as the  
10 circumstances of the of the case may require.

11 (3) The Disciplinary Committee may, defer or further defer its  
12 decision as to the giving of a direction under subsection (1) and (2) of this  
13 section until a subsequent meeting of the Committee.

14 (4) A person shall not be a member of the Disciplinary Committee for  
15 the purpose of reaching a decision which has been deferred or further deferred  
16 pursuant to subsection (3) of this section except he was present as a member of  
17 the Committee when the decision was deferred

18 (5) A person shall not be treated as convicted under subsection (1)(b)  
19 of this section except the conviction stands at a time when no appeal or further  
20 appeal is pending or may, without extension of time, be brought in connection  
21 with the conviction.

22 (6) Where the Disciplinary Committee gives a direction under  
23 subsection (1) or (2) of this section, it shall cause notice of the direction to be  
24 issued to the person to whom the direction relates.

25 (7) The person to whom such a direction relates may, at any time  
26 within twenty- eight days from the date of service on him of notice of direction,  
27 appeal against the direction to the Council and the disciplinary Committee  
28 shall be a respondent to the appeal whether or not it appears on the hearing of  
29 the appeal.

30 (8) A direction of the Disciplinary Committee under subsection (1) or

1 (2) of this section shall take effect-

2 (a) where an appeal under this section is brought against the  
3 direction after the time specified for the appeal;

4 (b) where an appeal is withdrawn or stuck out for want of diligent  
5 prosecution; or

6 (c) where an appeal is dismissed.

7 (9) Where a direction is given under subsection (1) or (2) of this  
8 section for the refund of the monies paid or the handing over of documents  
9 or any other thing and where within twenty-eight days of the date of the  
10 direction, the member fails to comply with the direction, the disciplinary  
11 Committee may deal with the matter as one involving misconduct by the  
12 member in his professional capacity.

13 (10) The provisions of subsection (8) of this section shall apply  
14 notwithstanding that the member has appealed to the Council against the  
15 direction of the Disciplinary Committee.

16 **24.-(1)** A person shall not hold an appointment or practice as a  
17 Medical Physicist in Nigeria except he is registered with the Medical  
18 Physics Regulatory Council of Nigeria.

Practices of Medical  
Physics Profession

19 (2) A registered Medical Physicist shall be entitled to practice as a  
20 Medical Physicist practitioner throughout Nigeria.

21 (3) A document or any part of it which is required by any law for the  
22 time being in force in Nigeria to be issued or signed by a Medical Physicist  
23 practitioner shall not be valid where it is issued or signed after this Act  
24 comes into force except it is issued or signed by fully registered Medical  
25 Physicist practitioner.

26 (4) No person except a fully registered Medical Physicist shall be  
27 entitled to bring any proceedings in any court of law for the purpose of  
28 recovering any fee or other consideration whatsoever payable in respect of  
29 services rendered, facilities or things supplied by him when purporting to act  
30 as a Medical Physicist practitioner.

	1	(5) A person in charge of a medical school of a university or similar
	2	institution in Nigeria where a course of training intended for persons desirous
	3	of becoming members of the Medical Physicist profession shall furnish the
	4	Registrar of the Council, a list of successful candidates immediately after the
	5	publication of the pass list.
Power of the Minister to give directives	6	<b>25.</b> The Minister may give directives to the Council relating to the
	7	performances by the Council of any or all of its functions under this Act and
	8	shall be the duty of the Council to comply and give effect to the directives.
Regulations	9	<b>26.</b> The Council shall make regulations with the approval of the
	10	Minister for the procedure for the accreditation of training and practice of
	11	Medical Physics and for all other matters necessary for carrying into effect of
	12	the provisions of this Act.
Restriction on the disposal of land by the Council	13	<b>27.</b> Without prejudice to the provisions of the Act and the Land Use
	14	Act, the Council shall not dispose of or charge any land or interest in any land
	15	except with the prior written consent of the Minister.
Establishment of Investigation Panel	16	<b>28.</b> -(1) There shall be established a body to be known as the Medical
	17	Physicist Investigation Panel (referred to as "the Panel", in this Bill) which
	18	shall be charged with the functions of-
	19	(a) investigation of any matter where it is alleged that a registered
	20	member has committed an act of misconduct in his capacity as a Medical
	21	Physics practitioner;
	22	(b) compelling any person by subpoena to give evidence before it;
	23	(c) deciding where it is necessary, to make an order for an interim
	24	suspension of a member for a period of three months during the investigation of
	25	the allegation against him provided that the matter shall be given accelerated
	26	hearing by Disciplinary Committee within three months from the completion
	27	of the investigation; and
	28	(d) deciding where it is in the public interest or in his interest to make
	29	an order for his interim conditional registration or an order that his registration
	30	shall be conditional for a period not exceeding two months subject to his

1 compliance with the directive of the Investigation Panel.

2 (2) The Panel shall be appointed by the Council and shall consist of  
3 ten members.

4 **29.**-(1) There shall be established for the Council, a Medical  
5 Physicist Disciplinary Committee (referred to as the "Disciplinary  
6 Committee" in this Act) which shall be charged with the duty of considering  
7 and determining any matter referred to it by the Investigation Panel  
8 established under section 54 of this Act and any other matter of which the  
9 Disciplinary Committee has cognizance under the provision of this Bill.

Establishment  
of Disciplinary  
Committee

10 (2) The Disciplinary Committee shall consist of-

11 (a) a Chairman who shall be appointed by the Chairman of  
12 Council;

13 (b) three other members of the Council who shall be fully  
14 registered Medical Physicists;

15 (c) one representative each, from the Federal Ministry responsible  
16 for Health and the Nigerian Nuclear Regulatory Authority and National  
17 Association of Medical Physicists; and

18 (d) a legal assessor nominated by the Attorney-General of the  
19 Federation and Minister of Justice.

20 (3) The provisions of the second schedule to this Bill shall apply to  
21 the proceedings of the Investigation Panel and Disciplinary Committee of  
22 the Council.

23 **30.** In this Bill-

24 "Council" means Medical Physics Regulatory Council of Nigeria;

25 "Disciplinary Committee" means Disciplinary Committee of the Medical  
26 Physics Regulatory Council of Nigeria;

27 "Investigation Panel", "Panel" means Investigation Panel established by the  
28 Medical Physics Regulatory Council of Nigeria;

29 "Minister" means Minister responsible for health;

30 "Register" means register for the enrolment of the members of the medical

Interpretation

1 physics profession under this Bill;  
2 "Registrar of the Council" means Registrar of the Medical Physics Regulatory  
3 Council of Nigeria;  
Short title 4 **31.** This Bill may be cited as the Medical Physics Regulatory Council  
5 of Nigeria Bill, 2024.

6 FIRST SCHEDULE

7 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

8 *Proceedings of the Council*

9 1. The Council may make standing orders regulating its proceedings or  
10 of any Committee of the Council.

11 *The quorum*

12 2.-(1) The quorum of the Council's meeting shall be one-third of the  
13 constituent members and the quorum of the Committee of the Council shall be  
14 fixed by the Council.

15 (2) Where a quorum is not formed within one and half hours of the  
16 time fixed for the commencement of the meeting, if statutory, the meeting shall  
17 be adjourned until a later date. Where it is an emergency or extraordinary  
18 meeting, it shall stand adjourned indefinitely.

19 (3) Quorum shall be maintained all through the duration of a meeting.

20 *Chairman of meeting*

21 3. At any meeting of the Council, the Chairman shall preside and  
22 where the Chairman is absent, members present shall elect one person from  
23 among themselves to preside at the meeting.

24 *Committees of the Council*

25 4. The Council may appoint one or more committees to carry out on  
26 its behalf any of its functions as the Council may determine but a decision of a  
27 Committee shall be of no effect until it is confirmed by the Council

28 *Meeting of the Council*

29 5.-(1) Subject to the provisions of any standing orders of the Council,  
30 the Council shall meet whenever it is summoned by the Chairman and where

1 the Chairman is required to do so, by notice in writing given to him by not  
2 less than five other members, he shall summon a meeting of the Council to  
3 be held within fourteen days from the date of which the notice is given.

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

9 (3) A person appointed under sub-paragraph (2) of this paragraph  
10 shall hold office on the committee in accordance with the terms of the letter  
11 by which he is appointed.

12 (4) The Minister shall summon the first meeting of the Council.

13 *Fixing of seal*

14 6.-(1) The fixing of the seal of the Council shall be authenticated by  
15 the signature of the Chairman or any other member of the Council  
16 authorized generally or specially by the Council to act for that purpose.

17 (2) Any contract or instrument executed by a person who is not a  
18 body corporate shall not be required to be under seal and may be made or  
19 executed on behalf of the Council by any person generally or specially  
20 authorized to act for that purpose by the Council.

21 (3) Any document purporting to be duly executed under the seal of  
22 the Council shall be received in evidence and shall except the contrary is  
23 proved, be deemed to be so executed.

24 *Validity of proceedings of Council or committee of the Council*

25 7. The validity of any proceeding of the Council or of a committee  
26 of the Council shall not be adversely affected by any vacancy in the  
27 membership of the Council or by any defect in the appointment of a member  
28 of the council or of a person appointed to serve on the committee or by reason  
29 that a person not entitled to do so took part in the proceeding.



1 the Disciplinary Committee to strike off a person's name from the register.

2 *Administration of oath*

3 3. A member of the Disciplinary Committee may administer oath  
4 to parties to the proceedings but no party shall be compelled to make  
5 statement before the Disciplinary Committee tending to incriminate  
6 himself.

7 *Assessor to the Disciplinary Committee*

8 4.-(1) For the purpose of advising the Disciplinary Committee on  
9 questions of law arising in the proceeding before it, there shall in all such  
10 proceedings be an assessor to the Disciplinary Committee who shall be  
11 appointed by the Council on the nomination of the Attorney-General of the  
12 Federation and shall be a legal practitioner of not less than ten years post  
13 call.

14 (2) The Attorney-General of the Federation shall make rules as to  
15 the functions of the assessor appointed under this paragraph and in particular  
16 such rules shall contain provisions for securing that-

17 (a) where an assessor advises the Disciplinary Committee on any  
18 question of law as to evidence, procedure or any other matter stipulated by  
19 the rules it shall do so in the presence of every party or person representing a  
20 party to the proceedings or where the advice is rendered while the  
21 Disciplinary Committee is deliberating in private, that every such party or  
22 person shall be notified of the advice which the assessor has given; and

23 (b) every such party or person shall be notified where in any case  
24 the Disciplinary Committee does not accept the advice of the assessor on  
25 such question of law.

26 (3) An assessor may be appointed under this paragraph either  
27 generally or for any particular proceeding or class of proceedings and shall  
28 hold and vacate office in accordance with the terms and conditions stated in  
29 his letter of appointment.

1 *Investigation panel*

2 5.-(1) The quorum of the Investigation Panel shall be six who shall be  
3 members of the Medical Physics profession.

4 (2) The Panel may, at any of its meeting attended by all members of  
5 the panel, make standing orders in respect to the practice and procedure of the  
6 Panel.

7 (3) A member of the Panel with respect to any matter which he  
8 investigated shall not act as a member of the Disciplinary Committee with  
9 respect to the determination of that particular matter.

10 *Effect of irregularity in the appointment and proceedings of members of*  
11 *the Disciplinary Committee or the Investigation Panel*

12 6. The proceedings of the Disciplinary Committee or the  
13 Investigation Panel shall be invalidated by any irregularity in the appointment  
14 of a member of that body or subject to paragraph 5(3) to this schedule or by  
15 reason that any person who was not entitled to take part in the proceedings in  
16 that matter took part in that proceedings

17 *Expenses of the Disciplinary Committee and Investigation Panel*

18 7. Expenses of the Disciplinary Committee and Investigation Panel  
19 shall be defrayed by the Council.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Medical Physics Regulatory Council to regulate the practice of the Medical Physics profession in Nigeria.