

A BILL

FOR

AN ACT TO ESTABLISH AN INSTITUTE OF CHARTERED BIOCHEMISTS AND MOLECULAR BIOLOGISTS CHARGED WITH THE RESPONSIBILITIES TO, AMONG OTHER THINGS, DETERMINE STANDARDS OF KNOWLEDGE AND SKILL TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED BIOCHEMISTS AND MOLECULAR BIOLOGISTS, REGISTER SUCH PERSONS, REGULATE AND CONTROL THEIR PRACTICE AND REVIEW THOSE STANDARDS FROM TIME TO TIME AS CIRCUMSTANCES MAY PERMIT AND RELATED MATTERS

Sponsored by Hon. Kingsley O. Chinda

Co-sponsors:

- | | |
|--------------------------------|-----------------------------------|
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| 3. Hon. Aliyu Madaki | 4. Hon. Ali - Isa J.C. |
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| 39. Hon. Philip Agbese | 40. Hon. Tunji Akinosi Nwogu |
| 41. Hon. Ibori Suenu Erinatake | 42. Hon. Julius Pondi |
| 43. Hon.. Ezechi Nnamdi | 44. Hon. Olajide Stanley |
| 45. Hon. Billy Osawaru | 46. Hon. Ojema Ojotu |
| 47. Hon. Ogowu David Agada | 48. Hon. Onuh Onyehe Blessing |

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

- 1 1.-(1) There is hereby established a body to be known as the
2 Institute of Chartered Biochemists and Molecular Biologists of Nigeria (in

Establishment
of the Institute
of Chartered
Biochemists and
Molecular Biology

1 this Bill referred to as "the Institute").

2 (2) The Institute:

3 (a) shall be a body Corporate with perpetual succession and a
4 common seal and may sue and be sued in its corporate name; and

5 (b) may acquire, hold, mortgage, purchase and deal with property,
6 whether movable or immovable, real or personal.

Establishment
and Composition
of Governing
Council of the
Institute

7 **2.-(1)** There is established for the Institute a Governing Council (in
8 this Bill referred to as the ("Council")) which shall be charged with
9 responsibility for the administration and general management of the Institute.

10 (2) The Council shall consist of the following members:

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

12 (b) the Vice-President of the Institute, who shall be the Vice-
13 chairman;

14 (c) a representative each of:

15 (i) the Federal Ministry of Health,

16 (ii) the Federal Ministry of Science and Technology,

17 (iii) the Federal Ministry of Education,

18 (iv) Federal Ministry of Agriculture, and

19 (v) Federal Ministry of Environment;

20 (d) past Presidents of the Institute who shall be entitled to serve on the
21 Council for a maximum period of two (2) years from the expiration of their
22 terms of office as President of the Institute;

23 (e) the Chairmen of all Standing Committees of the Institute;

24 (f) six (6) Senior Academics of Professorial rank, who must be
25 registered members of the Institute to represent institutions of higher learning
26 in Nigeria offering courses leading to approved qualifications based on geo-
27 political zones. Each geopolitical zone shall nominate representatives (in
28 rotation within each zone);

29 (g) two persons who shall be registered Biochemists and/or
30 Molecular Biologists to be elected by the Institute to represent the organized

1 private sector; and

2 (h) the Registrar of the Institute who shall be the Secretary to the
3 Council.

4 (3) Where the President is unable to preside at the meetings (or
5 perform any other duty) of the Council by reason of death, incapacity or any
6 other reason, the Vice President shall act in his stead for the unexpired
7 portion of the term of office, or as the case may require, and references in this
8 Bill to the President shall be construed accordingly.

9 (4) The provision set out in the First Schedule to this Bill shall have First Schedule
10 effect with respect to the qualifications and tenure of office of members of
11 the Council and other matters.

12 **3.-(1)** The Executive Committee of the Society (the "EXCO") shall Executive
Committee of the
Society
13 be made up of the following Officers:

14 (a) President;

15 (b) Vice-President;

16 (c) Secretary;

17 (d) Assistant Secretary;

18 (e) Financial Secretary;

19 (f) Treasurer;

20 (g) Public Relations Officer;

21 (h) Provost;

22 (i) South-East Zonal Coordinator;

23 (j) South-West Zonal Coordinator;

24 (k) South-South Zonal Coordinator;

25 (l) North-Central Zonal Coordinator;

26 (m) North-East Zonal Coordinator;

27 (n) North-West Zonal Coordinator;

28 (o) Ex- Officio member (The immediate past President).

29 (2) Elections shall hold into the various offices in Subclause (1) in
30 accordance with the provisions of Section 22 of this Bill.

- 1 (3)The President and the Vice President shall-
- 2 (a) be fellows of the Institute as provided for in Section 4(2);
- 3 (b) be elected at the Annual General Meeting of the Institute in
- 4 accordance with Section 22 of this Bill; and
- 5 (c) hold office each for a term of two years renewable for another term
- 6 and no more.
- 7 (4)A person shall be qualified for election to any office of the institute
- 8 if he or she:
- 9 (a) is a citizen of Nigeria;
- 10 (b) has paid all his or her dues for five consecutive years immediately
- 11 preceding the year of election; and
- 12 (c) has not been adjudged to be a lunatic or to be of unsound mind, or
- 13 declared to be bankrupt.
- 14 (d) Has not been convicted of a felony, misdemeanour, or other
- 15 offence involving fraud or dishonesty.
- 16 (5)The President shall have the following powers and duties:
- 17 (a) S/he shall be responsible for the day to day running of the Institute;
- 18 (b) S/he shall represent the Institute in all matters before Council or
- 19 other matters requiring the presence or representation of the Institute;
- 20 (c) S/he shall be the Chairperson of all meetings of The Council and
- 21 the EC. In his/her absence, the Vice President shall undertake the
- 22 responsibilities of the President. If both are absent, then the EC shall elect one
- 23 of its members to act as Chairperson;
- 24 (d) S/he, after consultation with other members of the EC, shall make
- 25 decisions in order to ensure the smooth running of day-to-day activities of the
- 26 Society. Such decisions shall be reported to the next meeting of the EC;
- 27 (e) S/he shall ensure that all affairs of The Society are conducted in
- 28 accordance with the provisions of the Constitution;
- 29 (f) S/he shall supervise the function of the secretariat/administrative
- 30 staff of The Society OR may delegate such duties to someone else;

1 (g) S/he shall represent The Society in all external matters, or may
2 delegate a member to do so;

3 (h) S/he shall serve as the Chair of the Honours, Awards and
4 Privileges Committee and as Secretary to the Board of Trustees;

5 (i) S/he shall sign vouchers for all payments;

6 (j) S/he shall be the principal signatory to ALL accounts of The
7 Society;

8 (k) S/he shall not vote in Council or EC, except in the case of a tie
9 vote, in which case the President shall cast the deciding vote;

10 (l) S/he shall present Annual Report of activities of The Society,
11 once every year, to Council;

12 (m) in the case of resignation, death or incapacity of the President,
13 the Vice President will become the President until the next General Meeting
14 where the vacancy of President shall be filled.

15 (6) The Vice-President shall:

16 (a) act on behalf of the President where the President is unable to
17 carry out his functions;

18 (b) Carry out such other functions as the President may from time-
19 to-time assign to him/her;

20 (c) serve as the Chair to the Conference Management Committee.

21 (d) In the case of resignation, death or incapacity of the Vice
22 President, the office will remain vacant until the next General Meeting where
23 the vacancy will be filled.

24 (7) The Secretary shall:

25 (a) Be a Professional member of the Institute;

26 (b) Take attendance at and minutes of all meetings of the Institute.

27 (c) Be a signatory to Bank account of the Society;

28 (d) Present an annual report of Society activities to The Council at
29 the Annual Scientific Conference of the Society;

30 (e) Serve as the secretary to the Honours, Awards, Privileges

- 1 Committee and the College of Fellows;
- 2 (f) Have custody of the Constitution, membership register, minutes,
3 manuscripts and archives of the Society;
- 4 (g) Prepare comprehensive inventory of Society property and record
5 of activities and membership at end of his/her tenure;
- 6 (h) Perform all other functions as the President may from time-to-
7 time assign.
- 8 (8) The Assistant General Secretary shall:
- 9 (a) Be an Ordinary Member of the Institute;
- 10 (b) complement the work of the Secretary and shall perform;
- 11 (c) Secretarial duties in the absence of the General Secretary;
- 12 (d) be assigned any other duties by the General Secretary or the
13 President.
- 14 (9) The Financial Secretary shall:
- 15 (a) be a member not below the Ordinary Member Cadre;
- 16 (b) a signatory to the Society's Bank accounts;
- 17 (c) collect all revenue accruing to The Society hand over such money
18 to the treasurer within one week of receipt;
- 19 (d) work together with the Treasurer to ensure the full accounting of
20 the Society's funds;
- 21 (e) keep accurate and up-to-date records of all income and
22 expenditure of the Society;
- 23 (f) present report records of income and expenditure to The Society at
24 Council meetings;
- 25 (g) Perform all duties incidental to his or her role as Financial
26 Secretary.
- 27 (10) The Treasurer shall:
- 28 (a) be a Member of a cadre not below Professional Member;
- 29 (b) be responsible for all moneys and valuable e?ects of The Society
30 and maintain an accurate accounting of receipts and disbursement in books

- 1 belonging to the Society;
- 2 (c) acting upon the direction of the Council, open a bank account
3 for the Society and be a signatory for such an account;
- 4 (d) have the power to disburse the funds of The Society as
5 approved and sanctioned by the Council or the President, and the power to
6 issue receipts for funds received by the Society;
- 7 (e)) render to the Council at its regular meeting or any other time as
8 may be demanded by the Council, an audited annual account of the financial
9 transaction(s) and status of The Society's accounts;
- 10 (f) serve on all Committees or Sub-Committees dealing with
11 finances of the Society;
- 12 (g) hold in his/her custody the accounts and books referred to
13 above which shall be made available at reasonable notice for inspection by
14 members of the Society;
- 15 (h) ensure adherence to budgetary provisions of the year.
- 16 (i) Maintain an inventory of the facilities, assets and liabilities of
17 The Society;
- 18 (j) Perform functions incidental to his or her role as Treasurer.
- 19 (11) The Public Relations Officer shall:
- 20 (a) Be a Member not below the Professional Member Cadre;
- 21 (b) serve as the Chief image-maker of the Society;
- 22 (c) be the Chief spokesperson of The Society in all matters relating
23 to the general public;
- 24 (d) publicize and promote all events and activities of The Society;
- 25 (e) along with the President maintain the Society's email data,
26 website and other social media handles;
- 27 (f) be responsible for protocol and order of events at functions of
28 The Society;
- 29 (g) publish the Newsletter of the Society at quarterly intervals; and
30 (h) perform functions that are incidental to his or her role as Public Relations

- 1 Officer or as the President may assign.
- 2 (12) The Internal Auditor shall:
- 3 (a) be a certified member of Institute of Chartered Accountants of
4 Nigeria (ICAN);
- 5 (b) be appointed by the Council;
- 6 (c) audit all financial transactions of the Society;
- 7 (d) verify/certify annual financial records before presentation at
8 Council meetings;
- 9 (e) present a report on the audit done on Society finances at every
10 Council meeting.
- 11 (13) The Provost shall:
- 12 (a) be an Associate Member of the Institute;
- 13 (b) maintain decorum at all Meetings of the Society;
- 14 (c) Assign and enforce fines as agreed to by Members in General
15 meeting;
- 16 (d) Perform other functions as shall be assigned to him fro time-to-
17 time by the President.
- 18 (14) The various Zonal Coordinators shall:
- 19 (a) coordinate, in consultation with the President, all Society
20 activities of their respective zones;
- 21 (b) Work with the leadership of the States within their zones to ensure
22 compliance with the provisions of this Bill;
- 23 (c) present reports of zonal activities at Council meetings.
- 24 (15) The Editor - in - Chief shall:
- 25 (a) Recommend members of the Editorial Board, and any other organ
26 necessary for the smooth running of the Journal, to the EXCO for onwards
27 presentation to The Council;
- 28 (b) Head or serve as member of committees relevant to the
29 publication and smooth running of the Journal.
- 30 (16) The Ex - Officio shall:

- 1 (a) Attend and contribute in all EXCO meetings;
- 2 (b) Serve as a source of information concerning past occurrences
- 3 or positions taken by past EXCOs;
- 4 (c) play an advisory role to the EXCO.

5 4.-(1) Subject to the provision of this Bill, members admitted to the

6 Institute shall:

Membership of
the Institute

7 (a) possess adequate interest, knowledge and understanding of

8 Biochemistry and Molecular Biology and related matters and must be

9 registered as members in the category of:

- 10 (i) Fellows,
- 11 (ii) Associate Members,
- 12 (iii) Professional Members,
- 13 (iv) Ordinary Members, or
- 14 (v) Honorary Fellows or Members;

15 (b) be registered as Biochemists and Molecular Biologists or such

16 other classification of Biochemists and/or Molecular Biologists as the

17 Institute may, from time to time, determine.

18 (2) A person shall be registered as:

19 (a) a Fellow if:

20 (i) he or she has been registered as an Associate member of the

21 Institute, or has been qualified to be so registered, for at least fifteen years

22 and he satisfies the Council that for a continuous period of ten years

23 immediately preceding the application he has been in practice as a

24 Biochemist and/or Molecular Biologist, and

25 (ii) he or she is otherwise considered by the Council to be a fit and

26 proper person to be so registered;

27 (b) an Associate Member if:

28 (i) he or she has been registered as a Professional member of the

29 Institute or has been qualified to be so registered for at least six years

30 immediately preceding the application, and

1 (ii) he or she is otherwise considered by the Council to be a fit and
2 proper person to be so registered;

3 (c) a Professional Member if:

4 (i) he or she has been registered as a member of the Institute and has
5 been in practice as a Biochemist and Molecular Biologist for a period of at least
6 two years immediately preceding the application, or

7 (ii) he or she is otherwise considered by the Council to be a fit and
8 proper person to be so registered;

9 (d) an Ordinary Member if:

10 (i) he or she holds a certificate of the examination of the Institute or
11 has any other qualification approved by the Council, and he or she satisfies the
12 provisions of Section 8 of this Bill, and

13 (ii) he or she is otherwise considered by the Council to be a fit and
14 proper person to be so registered; and

15 (e) an Honorary Fellow or Honorary Member of the Institute shall be
16 a person admitted as such by a resolution of the Council.

17 (3) Where a person is enrolled or registered by the Institute, he or she
18 shall be entitled to the use of such letters after his name as may be authorized by
19 the Council according to whether he is a fellow, associate, professional
20 member, ordinary member or registered Biochemist and Molecular Biologist
21 and when so enrolled or registered, he or she shall receive a certificate in such
22 form as the Council may, from time to time, approve.

Duties of
Members

23 **5.**(1) It shall be the duty of a registered member of the Institute to
24 abide by the rules, regulations, code of conduct and any other policy made by
25 the Institute for the purpose of sound practice.

26 (2) A member of the Institute shall conduct his or her behaviour in a
27 manner that upholds the dignity and reputation of the Institute.

28 (3) No registered person shall practice as a Biochemist and/or
29 Molecular Biologists in any year unless he or she has paid to the Institute in
30 respect of that year, the appropriate practicing fee which shall be due on 31st

1 March of every year.

2 (4) Without prejudice to being fully registered, any person with at
3 least "fifty years" post qualification experience shall not pay practice fee.

4 (5) Every fully registered member who has paid his or her practice
5 fee as prescribed in section (3) above or is exempted as in section (4) above
6 shall be entitled to an annual practicing license authorizing him or her
7 subject to any regulation in force to practice as a Biochemist and/or
8 Molecular Biologists.

9 **6.** The Council shall have powers to:

Powers of the
Council

10 (a) make regulations in pursuance of the performance of its duties
11 in this Bill, and in furtherance of the interest of the Institute;

12 (b) Approve application and qualification of intending members in
13 accordance with section 12 of this Bill;

14 (c) Prescribe the Practicing fees to be paid by each cadre of
15 members every year;

16 (d) Provisionally accept a qualification produced in respect of an
17 application for registration in accordance with section 10

18 (e) Specify the letters to be used by different cadres of members.

19 (f) Make rules with respect to the form and keeping of the register
20 in accordance with Section 9(2);

21 (g) Periodically publish particulars of acceptable qualifications for
22 registration in the gazette;

23 (h) Specify the membership dues payable by members according
24 to the cadres;

25 (i) Subject to the provision of this Bill, make staff regulation
26 relating generally to the condition of service of the employees, such
27 regulation may provide for the appointment, promotion, discipline and
28 appeals of the staff;

29 (j) be responsible for all publications of the Society, with the
30 exception of The Society's Newsletter;

1 (k) be responsible for the accuracy, credibility and ethical purity of the
2 contents of the Nigerian Journal of Biochemistry and Molecular Biology
3 (NJBMB).

4 (l) in consultation with the Editorial Board, set and communicate
5 Journal policy regarding authorship, conflict of interest, ethical conduct of
6 research academic misconduct and sundry charges.

7 (m) ensure the smooth operation of the Journal website.

8 (n) ensure timely publication of both the online and print versions of
9 the NJBMB;

10 (o) be responsible for the financial transactions of the Journal, in
11 consultation with the Editorial Board;

12 (p) be a signatory to the Journal account, which shall be separate from
13 and independent of the main bank account of the Society;

14 (q) give account of income and expenditure of funds of the Journal to
15 the Council and EC at least once a year; and

16 (r) do anything which in its opinion is calculated to facilitate the
17 activities of the Institute.

Fund and
Account of the
Institute

18 7.-(1) The Council shall establish and maintain a fund for the
19 Institute.

20 (2) There shall be paid and credited into the fund established pursuant
21 to sub-clause (1) of this clause:

22 (a) all fees and other moneys payable to the Council in pursuance of
23 this Bill; these include contribution from members and Fellows, levies, annual
24 subscription/practice license fees and other dues payable by members;

25 (b) revenues accruing from investments, services and symposia,
26 grants from local and international bodies, endowments, donations from
27 benefactors, adhering bodies, educational activities and other donors, and

28 (c) such moneys as may be payable to the Council in the course of the
29 discharge of its functions under this Bill.

30 (3) There shall be paid out of the fund of the Institute:

1 (a) all expenditure incurred by the Council in the discharge of its
2 functions under this Bill;

3 (b) the remuneration and allowances of the Registrar and other
4 staff of the Institute; and

5 (c) such reasonable travelling and subsistence allowances of
6 members of the Council in respect of the time spent on the duties of the
7 Council, as the Council may determine.

8 (4) The Council may invest moneys in the fund in any security
9 created or issued by or on behalf of the Government of the Federation or in
10 any other securities in Nigeria as may be approved by the Council.

11 (5) The Council may, from time to time, borrow money for the
12 purpose of the Institute and any interest payable on moneys so borrowed
13 shall be paid out of the fund of the Institute.

14 (6) The Council shall keep proper accounts on behalf of the
15 Institute in respect of each year and proper records in relation to these
16 accounts; and the Council shall cause the accounts to be audited by an
17 auditor appointed from the list and in accordance with the guidelines
18 supplied by the Auditor-General for the Federation.

19 (7) The auditor, appointed for the purposes of this section, shall not
20 be a member of the Council.

21 (8) The Council shall prepare and submit to the Minister not later
22 than twelve months after its establishment and once in each year thereafter a
23 report on the activities of the Council in the last preceding year and shall
24 include in the report a copy of the audited accounts of the Council for that
25 year and of the auditor's report thereon.

26 **8.-(1)** It shall be the duty of the Council to appoint:

27 (a) a fit and proper person who shall be a member of the Institute to
28 be the Registrar who shall be the Chief Executive Officer of the Institute for
29 the purposes of this Bill; and

Appointment and
duties of Registrar
and other staff

1 (b) such other persons as the Institute may, from time to time, think
2 necessary.

3 (2) It shall be the duty of the Registrar to prepare and maintain, in
4 accordance with rules made by the Council, a register of names, addresses and
5 approved qualifications and of such other particulars as may be specified in the
6 rules, of all persons who are entitled in accordance with the provisions of this
7 Bill to be registered as members of the profession in the category of fellows,
8 associates members, professional members, ordinary members, honorary
9 fellows and members who, in the manner prescribed by such rules, apply to be
10 so registered.

11 (3) It shall be the duty of the Registrar to:

12 (a) correct, in accordance with the directions of the Council, any entry
13 in the register which the Council directs him to correct as being in the opinion
14 of the Council an entry which was incorrectly made;

15 (b) make, from time to time, any necessary alterations to the
16 registered particulars of registered persons; and

17 (c) record the names of members of the Institute who are in default for
18 more than six months in the payment of annual subscriptions; and to take such
19 action in relation to removal of the names of defaulters from the register as the
20 Council may direct.

21 (4) If the Registrar:

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

26 (b) upon the expiration of that period sends in the like manner to the
27 person in question a second similar letter and receives no reply to that letter
28 within three months from the date of posting it, the Registrar may remove the
29 particulars relating to the person in question from the register.

30 Provided that the Council may, for any reason which seems to it

1 sufficient, direct the Registrar to restore the appropriate part of the register
2 any particulars removed there from under this sub-section.

3 (5) It shall be the duty of the Registrar:

4 (a) to cause the register to be printed, published and made
5 accessible to members of the public not later than two years from the coming
6 into force of this Bill;

7 (b) in each year after that in which a register is first published under
8 paragraph (a) of this sub-section, to cause to be printed, published and made
9 accessible to the public, either an updated or corrected edition of the register
10 or list of alteration made to the register since it was last printed; and

11 (c) to cause a print of each edition of the register and of each list of
12 corrections to be deposited at the principal office of the Institute, and it shall
13 be the duty of the Council to keep the register and lists so deposited available
14 at all reasonable times for inspection by members of the public.

15 **9.-(1)** The register shall consist of five parts of which the first part
16 shall be in respect of Honorary Fellows and members, the second part shall
17 be in respect of Fellows, the third part shall be in respect of Associate
18 Members, the fourth part in respect of professional members and the fifth
19 part in respect of Ordinary Members.

Register of
members

20 (2) A document purporting to be the print of an edition of a register
21 published under this Section by authority of the Registrar or documents
22 purporting to be the prints of an edition so published, shall without prejudice
23 to any other mode of proof be admissible in any proceeding as evidence that
24 any person specified in the document, or documents read together, as being
25 registered, is so registered at the date of the edition or of the list of
26 corrections, as the case may be, and that any person not so specified was not
27 so registered.

28 (3) Where in accordance with sub-section (2) of this Section, a
29 person is in any proceeding shown to have been or not to have been
30 registered at a particular date, he shall, unless the contrary is proved, be

1 taken for the purposes of the proceeding as having at all material times
2 thereafter continued to be or not be so registered

3 (4) Subject to the following provisions of this Section, the Council
4 may make rules with respect to the form and keeping of the register and the
5 making of entries therein and in particular:

6 (a) regulating the making of applications for registration, and
7 providing for the evidence to be produced in support of applications;

8 (b) providing for the notification to the Registrar, by the person to
9 whom any registered particulars relate, of any change in those particulars;

10 (c) requiring a registered person to have any qualification which is in
11 relation to Biochemists and Molecular Biologists, either an approved
12 qualification for the purposes of this Bill, registered in relation to his name in
13 addition to or, as he may elect, in substitution for any other qualifications so
14 registered;

15 (d) specifying the fees, including any annual subscription, to be paid
16 to the Institute in respect of the entry of names on the register, and authorizing
17 the Registrar to refuse to enter a name on the register until any fee specified for
18 the entry has been paid; and

19 (e) specifying anything failing to be specified under the foregoing
20 provisions of this Section.

21 (5) Any rules made for the purpose of paragraph (d) of sub-section (2)
22 of this Section shall not come into force until they are confirmed at a special
23 meeting of the Institute convened for the purpose or at the next Annual General
24 Meeting, as the case may be.

Registration
of certified
Persons

25 **10.-(1)** Subject to Section 16 of this Bill and to rules made under
26 Section 8 of this Bill, a person shall be registered as a member of the profession
27 if the person:

28 (a) passes the qualifying examination for registration recognized or
29 conducted by the Council under this bill and completes the practical training
30 prescribed;

1 (b) holds a qualification granted and for the time being accepted by
2 the Institute and satisfies the Council that he has had sufficient practical
3 experience as a Biochemist and Molecular biologist; or

4 (c) holds a qualification granted outside Nigeria and for the time
5 being accepted by the Institute which entitles him or her to practice for all
6 purposes as a biochemist and molecular biologist in the country in which the
7 qualification was granted, and he or she qualifies for registration as a
8 member in any of the categories specified in Section 4 of this Bill.

9 (2) An applicant for registration under this Bill shall, in addition to
10 evidence of qualification, satisfy the Council that the applicant:

11 (a) is of good character;

12 (b) has attained the age of 20 years; and

13 (c) has not been convicted in Nigeria or elsewhere of a felony,
14 misdemeanour or any offence involving fraud or dishonesty.

15 (3) The Council may, in its discretion, provisionally accept a
16 qualification produced in respect of an application for registration under this
17 Section, or direct that the application be renewed within such period as may
18 be specified in the direction.

19 (4) Any entry directed to be made in the register under Sub-section
20 (3) of this Section shall show that the registration is provisional and no entry
21 so made shall be converted to full registration without the consent of the
22 Council signified in writing in that behalf.

23 (5) The Council shall, from time to time, publish in the Gazette
24 particulars of qualifications for the time being acceptable for registration by
25 the Institute for:

26 (a) Foreigners wishing to practice as a professional biochemist or
27 molecular biologist in Nigeria must be certified by the Institute;

28 (b) Foreigners residing in Nigeria or elsewhere who apply for
29 registration with the Institute shall be so admitted provided they satisfy the
30 conditions specified in Sub-section (1) and (2) of this Section and pay the

Functions of
the Institute

- 1 specified membership dues; and
- 2 (c) Foreign members shall be entitled to the rights of membership as
- 3 will from time to time be specified for international members.
- 4 **11.** The functions of the Institute shall be to:
- 5 (a) determine what standards of knowledge and skill are to be attained
- 6 by persons seeking to become registered as Biochemists and Molecular
- 7 Biologists and reviewing those standards from time to time as circumstances
- 8 may permit;
- 9 (b) secure in accordance with the provisions of this Bill the
- 10 establishment and maintenance of a register of fellows, associate members,
- 11 professional members, ordinary members and honorary fellows and members
- 12 of the Institute and the publication from time to time of the lists of those
- 13 persons;
- 14 (c) provide for the training, education and conduct examination of
- 15 persons desiring to become Biochemists and Molecular Biologists in
- 16 accordance with the provisions of this Bill whether in Nigeria or elsewhere;
- 17 (d) conduct induction courses for aspiring members for a specified
- 18 period of time as may be determine by regulations of the Institute;
- 19 (e) issue licenses to any persons qualified to practice as Biochemists
- 20 and Molecular Biologists in Nigeria irrespective of where he obtains the
- 21 qualification, subject to payment of the required practicing fees;
- 22 (f) promote and coordinate research efforts and other studies for the
- 23 advancement of any of the aspects of Biochemistry and Molecular Biology to
- 24 disseminate information relating to research results, biochemical processes
- 25 and technology;
- 26 (g) ensure, in accordance with the provisions of the regulations of the
- 27 National Universities Commission guiding Curricular and Courses of study in
- 28 tertiary institutions, that Biochemistry and Molecular Biology programmes in
- 29 Nigerian Universities and Polytechnics are of theoretical and practical
- 30 relevance to national growth and development;

- 1 (h) organize:
2 (i) conferences, seminars, symposia, meetings, workshop and
3 lectures on Biochemistry and Molecular Biology and related issues, and
4 (ii) post-qualification courses for its members;
5 (i) regulate the discipline and professional conduct of its members;
6 and
7 (j) perform through the Council the functions conferred on it by
8 this Bill.

9 **12.-(1)** The Council may approve any qualification for the
10 purposes of this Bill and may for those purposes approve any:

Approval of
Qualifications

11 (a) course of training at an approved institution which is intended
12 for persons who are seeking to become or are already Biochemists and
13 Molecular Biologists and which the Council considers is designed to confer
14 on persons completing it sufficient knowledge and skill for practice as a
15 Biochemists and Molecular Biologists; and

16 (b) qualification which, as a result of examination taken in
17 conjunction with the course of training approved by the Council under this
18 section, is granted to candidates reaching a standard at the examination,
19 indicating in the opinion of the Council that the candidates have sufficient
20 knowledge and skill for practice as Biochemists and Molecular Biologists.

21 (2) The Council may, if it deems fit, withdraw any approval given
22 under this Section in respect of any course, qualification or institution but
23 before withdrawing such an approval the Council shall:

24 (a) give notice that it proposes to do so to persons in Nigeria
25 appearing to the Council to be persons by whom the course is conducted or
26 the qualification is granted or the institution is controlled, as the case may
27 be;

28 (b) afford such persons an opportunity of making to the Council
29 representations (within 30 working days) with regard to the proposal; and

30 (c) take into consideration any representations made as respects the

1 proposal in pursuance of paragraph (b) of this subsection.

2 (3) As respects any period during which the approval of the Council
3 under this section for a course, qualification or institution is withdrawn, the
4 course, qualification or institution shall not be treated as approved under this
5 section; but the withdrawal of such an approval shall not prejudice the
6 registration or eligibility for registration of persons who obtained such
7 qualifications before the approval was withdrawn.

8 (4) The giving or withdrawal of an approval under this section shall
9 have effect from such date, either before or after the execution of the
10 instrument signifying the giving or withdrawal of the approval, as the Council
11 may specify in the instrument and the Council shall:

12 (a) as soon as may be practicable, publish a copy of every such
13 instrument in the Gazette; and

14 (b) not later than seven days before its publication, send a copy of the
15 instrument to the Minister of Health.

Establishment
of Education
Committee

16 **13.**-(1) There shall be a Committee, to be known as the Education and
17 Admission Committee under this Bill hereafter referred to as "Education
18 Committee", which shall be charged with the duty of keeping the Council
19 informed on the nature of the:

20 (a) instructions given at approved institutions of persons attending
21 approved courses of training; and

22 (b) examinations as a result of which approved qualifications are
23 granted.

24 (2) For the purposes of performing the duty in Sub-section (1) of this
25 Section, the Education Committee may appoint; either from among its
26 members or otherwise, persons to visit approved institutions to undertake
27 inspection of their laboratories and facilities for the purpose of appraisal of the
28 program or examinations.

29 (3) The Institute shall through the Education Committee, collaborate
30 with the:

- 1 (a) National Universities Commission (NUC); or
- 2 (b) National Board of Technical Education (NBTE) in the
3 accreditation of courses in tertiary institutions.
- 4 (4) Graduates of institutions whose Biochemistry and Molecular
5 Biology programme are not accredited by the National Universities
6 Commission (NUC) or National Board of Technical Education (NBTE)
7 shall not be admitted to the Institute of Chartered Biochemists and
8 Molecular Biologists.
- 9 (5) The Institute shall not recognize such certificates issued from
10 such unaccredited programmes.
- 11 (6) Subject to this Act, a person who has not obtained his first
12 degree or other academic qualification from an accredited institution shall
13 not be eligible to be registered as a certified Biochemist and Molecular
14 Biologist with effect from the time such institution was unaccredited.
- 15 (7) Subject to the provisions of this Act, any person who is not a
16 Registered Biochemist and Molecular Biologist who parades himself or
17 herself as one is liable on conviction to a fine of ₦1,000, 000.00 or
18 imprisonment for a term not exceeding two years, or to both.
- 19 (8) The Education Committee shall consist of five members
20 (including the Chairman) elected during the Institute's Annual General
21 Meeting and all members shall be certified Biochemists or Molecular
22 Biologists.
- 23 (9) The Chairman of the Committee shall be an academic of
24 Professorial rank in any tertiary institution in Nigeria and shall be elected
25 like other members at the Annual meeting of the Institute.
- 26 (10) It shall be the duty of the Education Committee to report to the
27 Council on:
- 28 (a) the sufficiency of the instructions given to persons attending
29 approved courses of training at institutions visited by them or their
30 appointed representatives;

1 (b) the sufficiency of the examinations attended by them or their
2 appointed representatives; and

3 (c) any other matters relating to the instructions or examinations on
4 which the Council may, either generally or in a particular case, request them to
5 report; but no visitor shall interfere with the giving of any instruction or the
6 holding of any examination.

7 (11) On receiving a report made in pursuance of this section, the
8 Council may, if it thinks fit, and shall if so required by the Institute, send a copy
9 of the report to the person appearing to the Council to be in charge of the
10 institution or responsible for the examinations to which the report relates
11 requesting that person to make observations on the report to the Council within
12 such period as may be specified in the request, not being less than one month
13 beginning with the date of the request.

Practice
Committee

14 **14.**-(1) There shall be a Committee to be known as the Practice
15 Committee which shall be charged with the duty of:

16 (a) conducting a preliminary investigation into any case where it is
17 alleged that a member has misbehaved in his or her capacity as a Certified
18 Biochemist or Molecular Biologist, or should for any other reason be the
19 subject of proceeding before the tribunal; and

20 (b) deciding whether the case should be referred to the tribunal.

21 (2) The Practice Committee shall consist of five members (including
22 the Chairman) elected during the Institute's Annual General Meeting and all
23 members shall be practicing Certified Biochemist or Molecular Biologist.

24 (3) The Chairman of the Committee shall be a Professor in the field of
25 Biochemistry or Molecular Biology or related fields.

26 (4) The members of the Committee shall elect a Secretary from
27 amongst themselves.

28 (5) A person ceasing to be a member of the Tribunal or the Panel by
29 conclusion of his or her tenure shall be eligible for re-appointment as a member
30 of that body for a maximum of two (2) times.

1 (6) A person may, if otherwise eligible, be a member of both the -
2 Tribunal and the Panel; but no person who acted as a member of the Panel
3 with respect to any case shall act as a member of the Tribunal with respect to
4 that case.

5 (7) The Tribunal or the Panel may act notwithstanding any vacancy
6 in its membership and the proceedings of either body shall not be invalidated
7 by any irregularity in the appointment of a member of that body, or subject to
8 paragraph 9 (2) of this Schedule by reason of the fact that any person who
9 was not entitled to do so took part in the proceedings of that body.

10 (8) Any document authorised or required by virtue of this Bill to be
11 served on the Tribunal or the Panel shall be served on the Registrar
12 appointed in pursuance of section 6 of this Bill.

13 (9) Any expenses of the Tribunal or the Panel shall be defrayed by
14 the Institute.

15 (10) The provisions of Second Schedule to this Bill shall, so far as
16 applicable, apply to the Tribunal and Practice Committee respectively, have
17 effect with respect to the two bodies. Second Schedule

18 (11) The Council may make rules not inconsistent with this Bill as
19 to acts which constitute professional misconduct.

20 **15.**-(1) There shall be established a body to be known as the
21 Chartered Biochemists and Molecular Biologists Disciplinary Tribunal (in
22 this Bill referred to as "the Tribunal"), which shall be charged with: Chartered
Biochemists and
Molecular Biologists
Disciplinary Tribunal

23 (a) the duty of considering and determining any case referred to it
24 by the Practice Committee; and

25 (b) any other case of which the Tribunal has cognizance of under
26 the provisions of this Bill.

27 (2) The Tribunal shall consist of the President of the Council and
28 six other members of the Council appointed by the Council.

29 **16.**-(1) Where:

30 (a) a person registered under this Bill is adjudged by the Tribunal to Disciplinary
Action

1 be guilty of infamous conduct in any professional respect;

2 (b) a person registered under this Bill is convicted, by any court in
3 Nigeria or elsewhere having power to award punishment for an offence
4 whether or not such offence is punishable with imprisonment which in the
5 opinion of the Tribunal is incompatible with the status of a member of the
6 profession; or

7 (c) the Tribunal is satisfied that the name of any person has been
8 fraudulently registered,
9 the Tribunal may, if it thinks fit, give a direction reprimanding that person or
10 ordering the Registrar to strike his or her name off the relevant part of the
11 register.

12 (2) The Tribunal may, if it thinks fit, defer its decision as to the giving
13 of a direction under sub-section (1) of this Section until a subsequent meeting
14 of the Tribunal.

15 (3) No decision of the Tribunal shall be deferred under sub-section (2)
16 of this Section for periods exceeding one year in the aggregate.

17 (4) As far as possible no person shall be a member of the Tribunal for
18 the purposes of reaching a decision which has been deferred or further
19 deferred, unless he was present as a member of the Tribunal when the decision
20 was deferred.

21 (5) For the purposes of sub-section (1) of this Section, a person shall
22 not be treated as convicted unless the conviction stands at a time when no
23 appeal or further appeal is pending or may without extension of time be brought
24 in connection with the conviction.

25 (6) When the Tribunal gives a direction under sub-section (1) of this
26 Section, the Tribunal shall cause notice of the direction to be served on the
27 person to whom it relates.

28 (7) The person to whom such a direction relates may, at any time
29 within 28 days from the date of service on him of the direction, appeal against
30 the direction to the Federal High Court and the Tribunal may appear as

1 respondent to the appeal and, for the purpose of enabling directions to be
2 given as to the costs of the appeal and of proceedings before the Tribunal, the
3 Tribunal shall be deemed to be a party whether or not it appears on the
4 hearing of the appeal:

5 Provided that Sundays and Public Holidays shall not be reckoned
6 in the computation of time.

7 (8) A direction of the Tribunal given under sub-section (1) of this
8 Section shall take effect where:

9 (a) no appeal under this Section is brought against the direction
10 within the time limited for such an appeal, or on the expiration of that time;

11 (b) such an appeal is brought and is withdrawn or struck out for
12 want of diligent prosecution; or

13 (c) such an appeal is brought and is dismissed.

14 (9) A person whose name is removed from the register in pursuance
15 of a direction of the Tribunal under this Section shall not be entitled to be
16 registered again except in pursuance of a direction in that behalf given by the
17 Tribunal on the application of that person.

18 (10) A direction under this Section or the removal of a person's
19 name from the register, may prohibit an application under sub-section (9) of
20 this Section by that person until the expiration of such period as may be
21 determined by the Tribunal from the date of the direction and, where he has
22 duly made such an application, from the date of his last application or as may
23 be specified in the direction.

24 17.-(1) Any person not being a member of the Institute who, but for
25 this Bill, would have been qualified to apply for and obtain membership of
26 the Institute, may, within a period of six months from the commencement
27 of this Bill, apply for the membership of the Institute in such a manner as
28 may be prescribed by the Council.

Retrospective
Registration

29 (2) Where an application under sub-section (1) of the Section is
30 approved by the Council, the applicant shall be enrolled or registered, as the

1 case may be, according to his qualification.

When persons
are deemed to
practice as members
of the profession

2 **18.**-(1) Subject to sub-section (2) of this Section, a person shall be
3 deemed to practice as a Biochemist or Molecular Biologist if, in consideration
4 of remuneration to be received, and whether by himself or in partnership with
5 any person, he:

6 (a) engages himself in the practice of Biochemistry and Molecular
7 Biology or holds himself out to the public as a Biochemist or as a Molecular
8 Biologist;

9 (b) renders professional service or assistance in or about matters of
10 principle or detail relating to Biochemistry or Molecular Biology; and

11 (c) renders any other service which may by regulations made by the
12 Council, with the approval of the Minister of Health, be designated as service
13 constituting practice as a Biochemist or Molecular Biologist.

14 (2) A person registered as a member shall be eligible to practice as:

15 (a) a teacher, researcher or consultant in the field of Biochemistry or
16 Molecular Biology;

17 (b) a healthcare, biomedical, forensic, analytical and research
18 scientist;

19 (c) a developer of biochemical products and processes; and

20 (d) a scientist of genomics and biotechnology design, manufacture,
21 import biochemicals and reagents including genomic primers,
22 or any such practice areas drawn from biochemistry and molecular biology
23 based on global standards.

24 (3) Nothing in this Section shall be construed so as to apply to persons
25 who, while in the employment of any government or person, are required under
26 the terms or in the course of such employment, to perform the duties of a
27 Biochemist or Molecular Biologist.

Rules on
subscription
and license

28 **19.**-(1) The Council may make rules for the:

29 (a) training with registered members of the Institute of suitable
30 persons as Biochemists or Molecular Biologist; and

1 (b) supervision and regulation of the engagement, training and
2 transfer of such person.

3 (2) The Council may also make rules:

4 (a) prescribing the amount and date for payment of the annual
5 subscription and for such purpose, different amounts may be prescribed by
6 the rules for fellows, associate members, professional members, ordinary
7 members, honorary fellows and members of the Institute;

8 (b) prescribing the form of license to practice to be issued annually
9 or, if the Council thinks fit, by endorsement on an existing license;

10 (c) restricting the right to practice as a Biochemist and Molecular
11 Biologist if in default of payment of the amount of the annual subscription
12 where the default continues for longer than such period as may be prescribed
13 by the rules;

14 (d) restricting the right to practice as a Biochemist or Molecular
15 Biologist if the qualification granted outside Nigeria does not entitle the
16 holder to practice as a Biochemist or Molecular Biologist; and

17 (e) prescribing the period of practical training in the office of a
18 member of the Institute in practice to be completed before a person qualifies
19 for a license to practice as a Biochemist or Molecular Biologist.

20 (3) Rules when made shall, on the direction of the Chairman of the
21 Council so directs, be published in the Gazette.

22 **20.**-(1) There shall be a Committee, to be known as the "Publicity
23 Committee" which shall act on behalf of the Institute to:

Publicity
Committee

24 (a) provide and maintain a library comprising electronic resources,
25 books and publications for the advancement of knowledge of Biochemistry
26 and Molecular Biology, and such other materials and publications as the
27 Council may think necessary for the purpose; and

28 (b) undertake members' enlightenment in particular and public
29 awareness programme in general for the advancement of the practice of
30 Biochemistry and Molecular Biology.

1 (2) The Publicity Committee shall consist of five members elected
2 during the Institute's bi-annual Congress and all members shall be certified
3 Biochemists and Molecular Biologists.

Powers of the
Minister

4 21. The Minister may give to the Council directions of a general
5 character or relating generally to particular matters but not to any individual
6 person or case with regard to the exercise by the Council of its functions and it
7 shall be the duty of the Council to comply with the directives.

Establishment
of the Electoral
Committee of
the Institute

8 22.-(1) There is hereby established for the Institute, an Electoral
9 Committee (the "ELECO") which shall be made up of seven (7) members
10 particularly:

11 (a) A chairman to be appointed by the Council, from members of the
12 Institute with a cadre not below Associate member, and such appointment shall
13 be made not less than 3 months before the expiration of the tenure of the
14 incumbent administration;

15 (b) Other members, each to be nominated by each geo-political zone
16 not less than 3 months before the expiration of the tenure of the incumbent
17 administration;

18 (c) A secretary who shall be elected by members of the committee
19 from amongst them, at the first meeting of the Committee:

20 Provided that zones of practice and not zones of origins shall be
21 reckoned in nominating members to represent geo-political zones.

22 (2) The functions of the ELECO shall be to:

23 (a) organize, undertake and supervise all elections and bye-elections
24 in the Institute;

25 (b) not less than three months before the expiration of the tenure of the
26 incumbent administration, provide detailed guidelines for election including
27 eligibility to vote and be voted for, among other requirements;

28 (c) Coordinate the sale, distribution and collection of expression of
29 interest forms from intending aspirants;

30 (d) Provide mechanisms for raising and investigating reasonable

1 petitions against aspirants as to eligibility, fraud, dishonesty, bankruptcy or
2 other grounds of disqualification as may be provided by the ELECO in its
3 guidelines.

4 (3) Elections shall hold into the following offices of the Institute:

5 (a) President;

6 (b) Vice-President;

7 (c) Secretary;

8 (d) Assistant Secretary;

9 (e) Financial Secretary;

10 (f) Treasurer;

11 (g) Public Relations Officer;

12 (h) Provost;

13 (i) South-East Zonal Coordinator;

14 (j) South-West Zonal Coordinator;

15 (k) South-South Zonal Coordinator;

16 (l) North-Central Zonal Coordinator;

17 (m) North-East Zonal Coordinator;

18 (n) North-West Zonal Coordinator;

19 (o) Ex- Officio member (The immediate past President).

20 (4) Provided that eligibility and functions shall be as stated in
21 Clause 3 of this Bill.

22 (5) Elections in the Institute shall be by Secret Ballot either
23 physically or online.

24 (6) Where they are physical, elections shall hold a day before the
25 Annual General Meeting of the year where the tenures shall elapse.

26 Handover from one administration to the next shall hold at the Annual
27 General Meeting after the election results are announced and winners
28 declared by the ELECO.

29 **23.-(1)** Any regulation made under this Bill shall be published in Regulations
30 the Federal Government Gazette as soon as they are made and a copy of the

1 regulations shall be forwarded to the Ministry of Health and Office of the
2 Head of Service not less than seven days before they are published.

3 (2) Rules made for the purpose of this Bill shall be subject to
4 confirmation by the Institute at its next Annual General Meeting or at any
5 special meeting of the Institute convened for the purpose, and if then annulled
6 shall cease to have effect on the day after the date of annulment, but without
7 prejudice to anything done in pursuance or intended pursuance of the rules.

Offences

8 **24.**-(1) If any person for the purpose of procuring the registration of
9 any name, qualification or other matter:

10 (a) makes a statement which he believes to be false in a material
11 particular; or

12 (b) recklessly makes a statement which is false in a material
13 particular, he is guilty of an offence.

14 (2) If, on or after the relevant date, any person who is not a member of
15 the Institute practises as a Biochemist and Molecular Biologist for or in
16 expectation of reward or takes or uses any name, title, addition or description
17 implying that he is in practice as a Biochemist and Molecular Biologist, he is
18 guilty of an offence.

19 (3) In the case of a person falling within section 16 of this Bill:

20 (a) the provisions of sub-section (2) of this Section shall not apply in
21 respect of anything done by him during the period of three months mentioned
22 in that Section; and

23 (b) if within that period he duly applies for membership of the
24 Institute, then unless within that period he is notified that his application has
25 not been approved, the provisions of sub-section (2) of this Section shall not
26 apply in respect of anything done by him between the end of that period and the
27 date on which he is registered or is notified as aforesaid.

28 (4) If the Registrar or any other person employed by or on behalf of
29 the Institute willfully makes any falsification in any matter relating to the
30 register, he is guilty of an offence.

- 1 (5) A person guilty of an offence under this Section is liable:
- 2 (a) on summary conviction, to a fine of an amount not exceeding
- 3 N200,000.00; or
- 4 (b) on conviction on indictment, to a fine of an amount not
- 5 exceeding N500,000.00 or to imprisonment for a term not exceeding two
- 6 years, or to both such fine and imprisonment.
- 7 (6) Where an offence under this Clause which has been committed
- 8 by a body corporate is proved to have been committed with the consent or
- 9 connivance of or to be attributable to any neglect on the part of any director,
- 10 manager, secretary or other similar officer of the body corporate or any
- 11 person purporting to act in any such capacity, he, as well as the body
- 12 corporate, shall be:
- 13 (a) deemed to be guilty of the offence; and
- 14 (b) liable to be proceeded against and punished accordingly.

15 **25. In this Bill-**

Interpretation

- 16 "Council" means the Council established as the governing body of the
- 17 Institute under Section 2 of this Bill;
- 18 "Fees" includes annual subscriptions and any other fees;
- 19 "Institute" means the Institute of Chartered Biochemists and Molecular
- 20 Biologists of Nigeria established under Clause 1 of this Bill;
- 21 "Member" means a fellow, associate member, professional member,
- 22 ordinary member, honorary fellow or member of the Institute;
- 23 "Minister" means the Minister charged with responsibility for matters
- 24 relating to health;
- 25 "President" and "Vice-President" mean respectively the office holders under
- 26 those names in the Institute;
- 27 "Register" means the register maintained in pursuance of Section 9 of this
- 28 Bill;
- 29 "Society" means the Nigerian Society of Biochemistry and Molecular
- 30 Biology; and

1 decided by a show of hands.

2 (8) If for any reason, there is a vacation of office by a member and-

3 (a) such member was appointed by the Minister, the Minister shall
4 appoint another fit and proper person to replace such member; or

5 (b) such member was elected, the Council may, if the time between
6 the unexpired portion of the term of office and the next meeting of the
7 Institute appears to warrant the filling of the vacancy, co-opt some fit and
8 proper person for such time as aforesaid.

9 *Powers of Council*

10 2. The Council shall have power to do anything which in its opinion
11 is calculated to facilitate the carrying on of the activities of the Institute.

12 *Proceedings of Council*

13 3.-(1) Subject to the provisions of this Bill, the Council may in the
14 name of the Institute make standing orders regulating the proceedings of the
15 Institute, the Council or any of the Council's or Institute's committees.

16 (2) The standing orders shall provide for decisions to be taken by a
17 majority of the members, and, in the event of equality of votes, the President
18 of the Institute or the Chairman, as the case may be, shall have a second or
19 casting vote.

20 (3) The standing orders made for a committee shall provide that the
21 committee reports back to the Council on any matter within its competence
22 to decide.

23 (4) The quorum of the Council shall be seven and the quorum of a
24 committee of the Council; shall be determined by the Council.

25 *Meetings of the Institute*

26 4.-(1) The Council shall convene the annual meeting of the
27 Institute on 30 April in every year or on such other day as the Council may,
28 from time to time, appoint so however that if the meeting is not held within
29 one year after the previous annual meeting not more than fifteen months
30 shall elapse between the respective dates of the two meetings.

1 (2) A special meeting of the Institute may be convened by the Council
2 at any time, and if not less than twenty percent (20%) of the subsisting
3 members of the Institute require it by notice in writing addressed to the
4 Registrar of the Institute setting out the objects of the proposed meeting, the
5 Chairman of the Council shall convene a special meeting of the Institute.

6 (3) The quorum of any meeting of the Institute shall be ten (10%) of
7 the subsisting members and that of any special meeting of the Institute shall be
8 fifteen (15%).

9 *Meeting of the Council*

10 5.-(1) Subject to the provisions of any standing orders of the Council,
11 the Council shall meet whenever it is summoned by the chairman; and if the
12 chairman is required to do so by notice in writing given to him by not less than
13 seven other members, he shall summon a meeting of the Council to be held
14 within seven days from the date on which the notice is given.

15 (2) At any meeting of the Council, the chairman or in his absence the
16 vice-chairman shall preside, but if both are absent, the members present at the
17 meeting shall appoint one of their number to preside at that meeting.

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

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

27 *Committees*

28 6.-(1) The Council may appoint one or more committees to carry out
29 on behalf of the Institute or of the Council such functions as the Council may
30 determine.

1 (2) A committee appointed under this paragraph shall consist of the
2 number of persons determined by the Council, of whom not more than one
3 third shall be persons who are not members of the Council and a person other
4 than a member of the Council shall hold office on the committee in
5 accordance with the terms of the letter by which he is appointed.

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

8 *Miscellaneous*

9 *Seal of authority*

10 7.-(1) The fixing of the seal of the Institute shall be authenticated
11 by the signature of the President of the Institute or of some other member of
12 the Council authorised generally or specially by the Institute to act for that
13 purpose.

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

19 (3) Any document purporting to be a document duly executed
20 under the seal of the Institute shall be received in evidence and shall, unless
21 the contrary is proved, be deemed to be so executed.

22 *Validity of Decisions*

23 8. The validity of any proceeding of the Institute or the Council or
24 of a committee of the Council shall not be adversely affected by any vacancy
25 in membership, or by any defect in the appointment of a member of the
26 Institute or of the Council or of a person to serve on the committee or by
27 reason that a person not entitled to do so took part in the proceedings.

28 *Declaration of Interest*

29 9. Any member of the Institute or of the Council, and any person
30 holding office on a committee of the Council, who has a personal interest in

1 any contract or arrangement entered into or proposed to be considered by the
2 Council on behalf of the Institute, or on behalf of the Council or a committee
3 thereof, shall forthwith disclose his interest to the President of the Institute or to
4 the Council, as the case may be, and shall not vote on any question relating to
5 the contract or arrangement..

6 SECOND SCHEDULE

7 *[Sections 14 and 15]*

8 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

9 TRIBUNAL AND PRACTICE COMMITTEE

10 *The Disciplinary Tribunal*

11 1. The quorum of the Tribunal shall be three (3) of whom at least one
12 shall be member(s) of the profession.

13 2.-(1) The Attorney-General of the Federation may make rules as to
14 the selection of members of the Tribunal for the purposes of any proceeding
15 and as to the procedure to be followed and the rules of evidence to be observed
16 in proceedings before the Tribunal.

17 (2) The rules shall in particular provide-

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

21 (b) for determining who in addition to the person aforesaid, shall be
22 party to the proceedings;

23 (c) for securing that any party to the proceedings shall, if so required,
24 be entitled to be heard by the Tribunal;

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

27 (e) subject to the provisions of section 12 (7) of this Bill, as to the costs
28 of proceedings before the Tribunal;

29 (f) for requiring in a case where it is alleged that the person who is
30 subject of the proceedings is guilty of infamous conduct in any professional

1 respect, that where the Tribunal adjudges that the allegation has not been
2 proved it shall record a finding that the person is not guilty of such conduct in
3 respect of the matters to which the allegation relates;

4 (g) for publishing in the Gazette notice of any direction of the
5 Tribunal which has taken effect providing that a person's name shall be
6 struck off a register.

7 3. For the purposes of any proceedings before the Tribunal, any
8 member of the Tribunal may administer oaths and any party to the
9 proceedings may issue out of the registry of the Federal High Court writs of
10 subpoena ad testificandum and ducestectum; but no person appearing
11 before the Tribunal shall be compelled-

12 (a) to make any statement before the Tribunal tending to
13 incriminate himself; or

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

16 4. For the purpose of advising the Tribunal on question of law
17 arising in the proceedings before it, there shall in all such proceedings be an
18 assessor to the Tribunal who shall be appointed by the Council on the
19 nomination of the Attorney-General of the Federation and shall be a legal
20 practitioner of not less than ten years' standing.

21 5.-(1) The Attorney-General of the Federation shall make rules as
22 to the function of Assessors appointed under this paragraph, and in
23 particular such rules shall contain provisions for securing that-

24 (a) where an assessor advises the Tribunal on any question of law
25 as to evidence, procedure or any other matters specified by the rules, he shall
26 do so in the presence of every party or person representing a party to the
27 proceedings who appears thereat or, if the advice is tendered while the
28 Tribunal is deliberating in private, that every such party or person as
29 aforesaid shall be informed what advice the assessor has tendered;

30 (b) every such party or person as aforesaid shall be informed if in

1 any case the Tribunal does not accept the advice of the assessor on such a
2 question as aforesaid.

3 (2) An assessor may be appointed under this paragraph either
4 generally or for any particular proceedings or class of proceedings and shall
5 hold and vacate office in accordance with the terms of the instrument by which
6 he is appointed.

7 6.-(1)The committee may, at any meeting of the Panel attended by all
8 the members of the Panel, make standing orders with respect to the Panel.

9 (2) Subject to the provisions of any such standing orders, the Panel
10 may regulate its own procedure.

EXPLANATORY MEMORANDUM

This Bill seeks to establish an Institute of Chartered Biochemists and Molecular Biologists Charged with the responsibilities to, among other things, determine standards of knowledge and skill to be attained by persons seeking to become registered biochemists and molecular biologists, register such persons, regulate and control their practice and review those standards from time to time as circumstances may permit.