FEDERAL REPUBLIC OF NIGERIA

HOUSE OF REPRESENTATIVES

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF EXPORT AND COMMODITY BROKERS OF NIGERIA AND FOR OTHER RELATED MATTERS, 2016 (HB. 85)

1ST READING	–	22/10/2015
2ND READING	–	08/12/2015
3RD READING AND PASSAGE	–	01/12/2016

Chartered Institute of Export and Commodity Brokers of Nigeria Bill, 2016 (HB. 85)

Sponsored by: Hon. Uzoma Nkem-Abonta

Clause Arrangement of Clauses

1 Establishment of Chartered Institute of Export and Commodity Brokers of Nigeria.
2 Membership of the Institute.
3
4
5 Council of the Institute.
6 Financial provision.
7 Appointment of Registrar etc and preparation of the register.
8 Publication of registers and list of correction.
9 Registration of members.
10 Category of membership.
11 Accreditation of Institute.
12 Supervision of instructions and examinations leading to approve qualifications.
13 Professional discipline.
14 Penalties for unprofessional conduct.
15 Miscellaneous.
16 Professional practice.
17 Rules as to practice etc.
18 Provision of library facilities.
19 Offence.
20 Regulations and rules.
21 Transfer to Institute certain assets and facilities.
22 Interpretation.
23 Citation.

Schedules

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF EXPORT AND COMMODITY BROKERS OF NIGERIA AND FOR OTHER RELATED MATTERS, 2016 (HB. 85)

[ ] Commencement

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

Establishment of Chartered Institute of Export and Commodity Brokers of Nigeria.

1. (a) There is hereby established a body to be known as Chartered Institute of Export and Commodity Brokers of Nigeria (in this Bill referred to as "the Chartered Institute").

(b) The Institute shall be a body Corporate with perpetual succession and a common seal and shall be able to sue and be sued in its Corporate name.

(c) The Institute shall hold, acquire and dispose of any property, movable or immovable subject to the Land use Act, 1978.

Functions of the Institute.

(d) The Institute shall exercise such functions and achieve such objectives as may be conferred upon it by this Bill:

(i) the Institute shall research and locate all Exportable products from Agriculture Minerals Resources and Manufactured goods that are available in Nigeria for Export;

(ii) to Partner relevant agencies and Companies in creating an Interchange point between the Commodity Producers, Nigerian Distributors and Export merchants for the storage, of their products and to quicken product inspection for Export;

(iii) to Liaise with Federal, State and Private Sector, Local Governments and relevant agencies in Nigeria on how to make all Export Processing Zones In Nigeria to be functioning, viable and to see that more of such are establish for the Promotion and exportation of made in Nigeria goods;

(iv) to establish Professional Standard in training, commodity grading, Packaging, Pricing, quality control, commodity brokerage services etc, to benefit Nigerians who wish to go into practical Export and earn income from commodity wealth in Nigeria in collaboration with appropriate Agencies and Association;

(v) to define and follow-up the execution of the Processes of refining the crude products or Commodity in a civilized manner to meet International standard in the world market;

(*vi*) determining the standards of knowledge and skill to be attained by persons seeking to become registered members of the Profession and reviewing those standards, from time to time as circumstance may demand;

(*vii*) securing in accordance with the provisions of the Act, the establishment and maintenance of Registers of Members of the Profession and the publication, from time to time of lists of those persons;

(viii) regulating the practice, discipline, Professional conduct and Promoting the highest standard of competence among the members of the Profession;

(ix) to certify all Export Practitioners and License all Commodity Brokers Operating in Nigeria who qualified as Associate, Full Member and Fellow to Practice as a member of the Profession in relationship with the appropriate Association;

(x) promoting the highest standard of competence, practice and conduct among the Members of the Profession;

(xi) making provision for Education, Training, conduct of Examinations award of qualifications to deserving and qualified Members of the Profession wishing to become Commodity Brokers, Shipping Agent, Export Merchant, Products Packaging Consultant and Practicing Managers on International Trade in Nigeria;

(xii) to advance Public Education as to Commerce and Industry, particularly the need for Raw Materials Import, finished goods Export, Commodity research and grading, in addition educate .those who are or may become involved or interested in Export and Commodity trade as a Profession in this Bill referred to as "the Profession";

(xiii) to associate with Government Programmes meant for the development and Promotion of Export and Commodity Trade in Nigeria and also to associate with foreign and local Institution having similar objectives on Export and Commodity trading for the purpose of attaining excellence in International Trade as a business in Nigeria;

(xiv) to examine, research and analyze problems connected with Export and Commodity Trade in Nigeria and to publish the results of such work together with recommendation and advice, make the same available to all persons firms or companies engaged in Export and Commodity Trade whether or not members of the Institute;

(xv) arranging conferences, seminars, symposia and meeting for the discussion of Export and Commodity Trade Profession by means of periodical issues of a journal of the Institute and to organize post-qualification courses for its members;

(xvi) doing such things as may advance and promote the advancement of Export and Commodity trade and business in both the public, the private sector of the economy; and

(xvii) performing through the Council all functions established under this Bill as Conferred on it by this Bill.

Membership of the Institute.

2. Subject to the provisions of this Bill, a person admitted to membership of the Institute shall be registered as Fellows, Members, Associates, Graduates, Licentiate, Students and Corporate Members and shall be entitled to practice the business of Export and Commodity Trade Profession and the list of such people shall be published from time to time, and authorized to use FECB, MECB, AMECB after their names.

3. Practicing Fellow Members with years of experience will be elected Chartered Member of Chartered Institute of Export and Commodity Brokers of Nigeria and authorize to use initial CMECB after their names.

4. Honourary Members elected as Fellow or Members and Licentiate as a result of their contributions to Export and Commodity trade profession are authorized to use initial FECB (Hon) MECB (Hon) LECB (Hon) after their names.

5. (i) There shall be, as the governing body of the Institute, a Council which shall be charged with the administration and general management of the Institute. Council of the Institute.

(ii) The Council shall consist of the following:

(a) President;

(b) Deputy President;

(c) National Treasurer;

(d) six (6) persons nominated from the Institute;

(e) the President, Deputy President and National Treasurer shall be elected by members at (AGM) Annual General Meeting;

(f) four (4) Chairmen representing Export Services and Commodity Trade groups as elected by each groups before the Annual General Meeting;

(g) past Presidents and Registrars of the Institute;

(h) one (1) persons to represent the Federal Ministry of Industry-Trade and Investment;

(i) two persons who shall be Members of the Institute to represent Institutions of higher learning in Nigeria offering courses leading to an approved qualification in rotation, so however that the two shall not come from the same Institutions.

(iii) The current Registrar of the Institute shall be a member of the Council (as one of the Institute nominee) and shall be the Secretary of the Council and take minutes at the Council Meeting.

(iv) The President and Deputy President shall be elected at the First Council meeting by Council Members and later at the Annual General Meeting every four (4) years.

Term of Office
(v) All the Council members shall be in Office for a term of four years and no member shall serve more than two terms.

Power of the Council
(vi) (a) The Council shall have power at any time and from time to time to co-opt any member to fill any casual vacancy among members of the Council but any person so co-opted shall be subjected to serve only until the unexpired period of the term of office.

(b) The Council shall have power at any time and from time to time to co-opt suitable persons to any of its Committee.

Council Meetings

(vii) (a) The President shall be the Chairman at Meetings of the Institute, however in the event of death, incapacity or inability for any reason of the President, the Deputy President shall act as Chairman for the unexpired period of the term of office as Chairman as the case may be and reference in this Bill to the President shall be construed accordingly.

(b) The President and the Deputy President shall respectively be Chairman and Vice Chairman of the Council of the Institute under this Bill but if the President or the Deputy President ceases to be a member of the Institution, he/she shall cease to hold any of the offices designated under this section.

(c) The provisions of schedule one to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other Matters therein mentioned.

6. (1) (i) The Council shall establish and maintain a fund for the purpose of this Bill which shall be realized from the fees payable to the Institute, i.e Membership, Examinations, Mandatory courses, Certification, Licenses, Annual dues, etc and donation from Individual and Corporate bodies. Financial provision.

(ii) The management and control of which shall be in the hand of the Council.

(2) There shall be paid into the Fund of the Council:

(a) all the fees and other money payable to the Council in pursuance of this Bill and

(b) such money as may be payable to the Council, whether in the course of the discharge of its functions or not.

(3) These shall be paid out of the Fund of the Council established pursuant to subsection (1) of this section:

(a) the remunerations of the Registrar and Management:

(b) such reasonable traveling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve.

(c) any other expenses approved by the Council in the discharge of its functions under this Bill.

(4) The Council may invest moneys in the Fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.

(5) The Council may from time to time source for funds for the purpose of the Institute and any interest payable on such funds borrowed shall be paid out of the fund.

Audited account

(6) The Council shall keep proper account and other records relating thereto and shall cause to be prepared not later than 30th December each year. Such accounts must be audited by a firm of auditors approved by the Council and when audited, the accounts shall be submitted

to the members of the Council as approved by them at the Meeting of the Institute.

7. (1) (a) The Council shall appoint a competent person to be the Registrar for the purpose of this Bill and such other persons and firm as the Council may from time to time think necessary to assist the Registrar in the performance of his function under this Bill.

Appointment of Registrar etc and preparation of the register.

(b) The Registrar shall be the Chief Executive Officer of the Institute and in addition perform the following functions:

(i) enforcement of the observance of the Constitution, rules and regulations of the Institute.

(ii) control the income, capital, funds and property of the Institute and Endorse all accounts for payment.

(iii) control the staff and officers of the Institute to ensure discipline in and the accomplishment of the objects of the Institute.

(iv) perform such other duties as by usage and custom pertain to his office and as the Council may from time to time direct.

(v) to keep necessary statistical records of all Nigeria Export and Commodity in conjunction with the appropriate agencies.

(2) It shall be the duty of the Registrar to prepare and maintain in accordance with rules made by the council, a register of the names, addresses, approved qualifications and of such other qualifications who are entitled in accordance with the provisions of the Act to be registered as members of the Institute and who is the manner prescribed by the such rules apply to be so registered.

(3) Subject to the foregoing provision of this section, the Council shall make rules with respect to the form and keeping of the register and the making of entries therein and in particular as the Council may approve.

(4) (a) Regulating the making of application for or registration as the case may be and providing for the evidence to be produced in support of such applications.

(b) Providing for the notification of the Registrar by the person to whom any registered particulars relates to any change in those particulars.

(c) Authorizing a registered person to have any qualification, which is in relation to the relevant division of the Profession. Whether an approved qualification or accepted qualification for the purposes of this Bill registered in relation to the name in addition to or as he may elect in substitution for any other qualification so registered.

(d) Specifying the fees including any annual subscription, to be paid to the Institute, in respect of the entry of name into the register, and authorizing the Registrar to refuse to enter a name on the register until any fee specified for the entry has been paid.

(e) Specifying anything failing to be specified under the foregoing provisions, of the section.

But rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed at a meeting of the Institute.

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

(*a*) to correct in accordance with the Council's directions, any entry in the register which the Council directs him to correct as being in the Council's opinion an entry which is or as incorrectly made.

(*b*) to make from time to time, any necessary alteration to the registered particulars of registered persons.

(*c*) to remove from the register the name of any registered persons who has died, and

(*d*) to record the names of members of the Institute who are in default for more than three years in the payment of Annual subscriptions, and to take such action in relation thereto (including removal of the name of defaulters from the register) as the Council may direct to require.

(6) If the Registrar:

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

(*b*) upon the expiration of that period, send in like manner to the person in question a similar letter and receives no reply to that letter within three months from the date of posting it, the Registrar shall remove the particulars relating to the person in question from the register, provided that the council may direct the Registrar to restore to the appropriate part of the register any particular removed there from under this subsection.

Publication of registers and list of correction.

8. (1) It shall be the duty of the Registrar to cause the register:

(a) to be printed, published and put on sale to members of the public not later than two years from the commencement of the Act;

(b) thereafter in each year to cause to be printed, published and put on sale as aforesaid, either a corrected edition of the register, since it was last printed;

(c) to cause a print of each edition of the register and of each list or correction to be deposited at the principal office of the Institute; and

(d) to keep the register and list so deposited to be made available to members of the public at all reasonable times for inspection by members of the public.

(2) A document purporting to be a print of an edition of register published under this section by authority of the Registrar or documents purporting to be prints of an edition of a registers so published and of the list of corrections to that so published, shall (without prejudice to any other mode proof) be admissible in any proceedings as evidence that any person specified in the documents, or the documents read together, as being registered was so registered at the date of the

edition or of the list corrections, as the case may be and that any person not so specified was not so registered.

(3) Where in accordance with subsection (2) of this section, a person is in any proceeding shown to have been or not to have been registered at a particular date, unless the contrary is proved, be taken for the purpose of those proceedings as having all material times thereafter continued to be or not to be so registered.

9. (1) A person shall be eligible to be registered as a member of the Institute if he/she satisfies the Council that: Registration of members.

(a) immediately before the Commencement of this Bill, he/she holds a qualification from other professional bodies considered by the Council as relevant and equivalent to that of the Chartered Institute of Export and Commodity Brokers of Nigeria; or

(b) before the commencement of this Bill all graduate of the Institute of Export Programme or a graduate of Export, Shipping and Petroleum Management or International Trade Management from a recognized higher Institute; or

(c) have passed the foundation level for the qualifying Examination of the Institute; or

(d) holds five credits in West African School Certificate Examination or General Certificate of Education or Senior School Certificate Examinations or National Examination Council (NECO) and National Business and Technical Examination Board (NABTEB) in the following subjects: viz: English, Mathematics, Economics, Geography, Business Management, Commerce, Accounting and other related subjects; or

(e) matured candidates with minimum age of 30 years and in practice of Export and Commodity trade.

(2) He/she is a citizen of Nigeria and was immediately before the commencement of this Bill holding a Managerial Post or Chief Executive of an Export or Commodity trade firm.

(3) Subjects as aforesaid, a person shall also be entitled to be registered under the Act if he/she holds such Certificate as may be recognized by the Council from time to time.

(4) An application for registration under the Act shall be in addition to evidence of qualification, satisfy the Council that:

(a) he/she is of good character;

(b) he/she has attained the age of twenty-one years; and

(c) he/she has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.

(5) The Council may in its sole discretion provisionally accept a qualification produced in respect of an application for registration under this section or that the application be renewed within such period as may be specified in this section

(6) Any entry directed to be made in this register, under subsection (5) of this section shall be converted to full registration without the consent of the Council signified in writing in that behalf.

(7) The Council shall from time to time publish in the Federal Gazette particulars of qualifications for the time being accepted as aforesaid.

(8) The Council shall make regulations generally for its purposes under this Bill, and without prejudice to the generality of the foregoing regulation made may provide for:

(a) the persons or category of persons who may enter for Examinations held or conducted by this Institute;

(b) the conduct entrants during such examinations.

10. (a) Membership by Examination: Category of membership.

Fellow Members
(i) The Council shall register member as a Fellow Member of the Institute provided:

(a) he/she satisfied subsection 9 above;

(b) that member has published an acceptable thesis or dissertation on appropriate subjects; or

(c) that member has been a Full Member for a period of at least 5 years and must have contributed to the growth of the Institute and Export and Commodity Trade Persons admitted to Fellow Membership grade shall be entitled to use the letter FECB after his/her names.

Full Members
(ii) The Council shall register any member as a Full member of the Institute provided:

(a) he/she satisfied subsection (9) above;

(b) that member is engaged in any work relating to or connected with International Trade or Commodity Trade for almost fifteen years; and

(c) that Member has been an Associate Member for a minimum of five years. Persons admitted to Full Membership grade shall be entitled to use the letter MECB after their names.

Associate Members
(iii) (a) Subject to the provisions of this Bill, the Council shall cause to be registered as an Associate Member of the Institute any person who has passed the Professional Examinations prescribed by the Institute or claim exemptions for having similar qualifications. Person admitted to Associate Membership grade shall be entitled to use the letters AMECB after his/her names.

Graduate members
(iv) Graduate Members shall be registered by the Council on completion of the Final

Diploma Programme in Export Practice and Management or Advanced Diploma in International Trade, Shipping and Foreign Exchange Administration he/she would become Associate Member after a minimum of two years Practice in related field. He/she uses designatory letter GECB after their names.

Membership by Admission or Election:
(b) Persons not registered under subsection (9) (a) of this Bill shall be entitled to be registered as:

Fellow Members
(i) (a) If he/she satisfy the Council for the period of at least twenty-five years immediately proceeding the date of application in that behalf, he/she has been engaged in business relating to Export, Import, Shipping Petroleum and Commodity trade activities and have attained top management level in the Industry or have contributed meaningfully to Economic and Industrial growth of the nation, shall be registered as Fellow Member of the Institute.

(b) Person admitted to Fellow Membership (Honourary) grade shall also be entitled to use the letters FECB (Hon.) after his/her names.

Full Members
(ii) The Council shall register people as Full Members of the Institute:

(a) if he/she satisfies the Council that he/she has alternative equivalent qualifications together with adequate managerial experience.

(b) if he/she is 40 years of age at the time of application and have put in a minimum of fifteen years in the practice of import/Export business or any business with International character

(c) a per person admitted to Full Membership grade shall be entitled to use the letter MECB (Hon) after his/her names.

Licentiate Members
(d) These are for Senior Citizens who could not read or write or fairly educated but could be honoured for their contributions to Export and Commodity Trade in Nigeria. He/she uses the initiate LECB (Hon)after the names.

Student Members
(e) Those people who are of minimum of 21 years old and satisfy subsection 8 (1) (d) of this Bill shall be registered as a Student Member of the Institute

Certificate of Membership
All registered members shall be entitled to receive from the Council, Certificate of registration for membership to the grade with whom he/she was registered

Corporate Membership
(e) (i) The Council shall confer Corporate Membership of the Institute on any Company, Firm or Corporation, which it consider fit for the honour.

(ii) A corporate member of the Institute shall be a company registered with the Corporate Affairs Commission and has at least two Professional members of the Chartered Institute of

Export and Commodity Brokers as directors or Management staff heading Export and or Commodity trade departments.

(iii) The Four Trade Groups shall be known as Export Services Trade Group, Agro-Allied Trade Group Natural Mineral Resources Trade Group and Manufactured Goods Trade Group

(iv) The Professional Syndicates would form from each Trade Group representing each products identify and approved for export or its Services.

(v) Each Group and Professional Syndicates shall have their own Committee Executives comprising the Chairman, Secretary and Treasurer for the Committee Management.

The Professional Syndicate shall be responsible to the Trade Group and the Trade Group to the Council.

11. (1) The Council may approve any Institution for the purpose of this Bill and for those purposes approve: Accreditation of Institute.

(a) any course of training at any approved Institution which is intended for persons seeking to become or are already members of the Export and Commodity Trade Profession and which in the opinion of the Council is designed to confer:

(b) any qualification which as a result of an Examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates reaching a standard at the Examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill for the practice of the profession.

(2) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or Institution but before withdrawing such as approval, the Council shall:

(a) give notice that it proposes to do so to person in Nigeria appearing to the Council to be persons by whom the Course is conducted or the qualification is granted or the Institution is controlled as the case may be.

(b) afford such person an opportunity of making to the Council representation with regard to the proposal; and

(c) take into consideration any representation made in respect of this proposal in pursuance of paragraph (b) of this subsection (20) of this section.

(3) A course, qualification or Institution shall not be treated as approved during any period the approval is withdraw under subsection (2) of this section.

(4) Notwithstanding the provisions of Subsection (3) of this section, the withdrawal of an approval under subsection (2) of this section shall not prejudice the registration or eligibility for registration, of any person virtue of the approval was registered or was eligibility for registration (either unconditionally or subject to his obtaining a Certificate of experience immediately before the approval was drawn.

(5) The giving or withdrawal of an approval under this section shall have effect from such

date either before or after the execution of the instrument signifying the giving or withdrawal of the approval as the Council may specify in the instrument and the Council shall:

(a) as soon as may be published a copy of every such instrument in the Gazette, and

(b) not later than seven days before its publication as aforesaid, send a copy of the Instrument to the Minister.

Supervision of instructions and examinations leading to approve qualifications.

12. (1) It shall be the duty of the Council to keep itself informed of the nature of:

(a) the instruction given at approved Institutions to persons attending course of training: and

(b) the Examinations as a result of which approved qualification are granted. Any of the purposes of performing that duty, the Council may appoint either from among its members or otherwise, person to visit, approve Institution or to observe such Examinations.

(2) It shall be the duty of a person appointed under this section to report to the Council on:

(a) the adequacy of the instruction given to persons attending approved course of training at Institutions visited by him;

(b) the adequacy of the examination attended by him; and

(c) any other matters relating to the Institutions of Examinations on which The Council may either generally or in a particular case, requests him to report but no such person shall interfere with the giving of any instruction or the holding of any examination.

(3) On receiving a report made in pursuance of this section, the Council may, if it is thinks fit, and shall, if so required by the Institution send a copy of the report to the person appearing to the Council to be in charge of the Institution or responsible for the examination to which the report relates, requiting that Institution or responsible for the examination to which the report relates, requesting that any person to make an observation on the report to the Council within such time as be specified in the request, not being less than a month beginning with the date of the report.

(4) The Minister of Education shall from time to time supervise and if necessary issue directives to the Institute Governing Council to ensure compliance with higher educational standard.

Professional discipline.

13. (1) There shall be tribunal to be known as the Chartered Institute of Export and Commodity Brokers of Nigeria Disciplinary Tribunal Act referred to as ("the tribunal") which shall be charged with the duty of considering and determining any case referred to it by the investigating panel established by the provisions of this section and any other case of which the tribunal has cognizance under the provision of this Bill.

(2) The tribunal shall consist of the Chairman of the Council and eight other members of the Council appointed by the Council.

(3) There shall be a body to be known as the Chartered Institute of Export and Commodity

Brokers of Nigeria investigating panel (in this Bill referred to as "the Panel") which shall be charged with the duty of:

(a) conducting a preliminary investigating into any case where it is alleged that a person registered has misbehaved in his capacity as member or should for any other reason be the subject of proceedings before the tribunal; and

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

(4) The panel shall be appointed by the Council and shall consist of three members, two of whom shall not be members of the Council.

(5) The provisions of Schedule 2 to this Bill shall, so for application to the tribunal and panel respectively have effect with respect of those bodies.

(6) The Council may make rules not inconsistent with this Bill to acts which constitute Professional misconduct.

14. (1) Where: Penalties for unprofessional conduct.

(a) a person registered under this Bill is judged by the tribunal to be guilty of infamous misconduct in any professional respect; or

(b) a person is convicted by any Court or tribunal in Nigeria or elsewhere having Power to award imprisonment or an offence (whether or not punishable with imprisonment) which is the opinion of the tribunal incompatible with the status of a member of the profession; or

(c) the tribunal is satisfied that the name of any person has been fraudulently registered;

The tribunal may, if it thinks fit, give a direction reprimanding that person ordering the Registrar to strike his name off the relevant part of the register.

(2) The tribunal may, if it thinks fit, defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the tribunal but:

(a) no decision shall be delivered under this subsection for period exceeding two years in the aggregate; and

(b) no person shall be a member of the tribunal for the purpose of reaching a decision which has been deferred or further deferred, unless he/she was present as a member of the tribunal when the decision was deferred.

(3) For the purposes of subsection (1) (b) of this section a person shall not be treated as convicted, unless the conviction stands as at the time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

(4) When the tribunal gives a direction under subsection (1) of this section, the tribunal shall cause notice of the direction to be served on the person to whom it is meant.

(5) A person to whom a direction relates may at any time within twenty-eight days from the date of service on him of notice of the direction appeal against the direction to the Court of

Appeal and the tribunal may appear as respondent to the appeal and for the purpose of enabling direction given as to the he/she costs of the appeal and of proceeding before Court of Appeal, the tribunal shall be deemed to be a part thereto whether or not it appears on the hearing of the appeal

(6) A direction of the tribunal under subsection (1) of this section shall make effect where:

(a) no appeal under this section is brought against the direction within the time limited for the appeal on the expiration of that time;

(b) an appeal is brought and is withdraw or struck out for want of prosecution, on the withdrawal or striking out of the appeal;

(c) an appeal is brought and is not withdrawn or struck out as aforesaid, if when the appeal is dismissed;

and shall not take effect except in accordance with the foregoing provisions of this subsection.

(7) A person whose name is struck off the register in pursuance of a direction of the tribunal under this section, shall not be entitled to be registered again except in pursuance of a direction in that behalf and a direction under this section for the striking off a person's name from the register, may prohibit an application under this subsection by the person until the expiration of such period from the date of the direction (and where he has duly made such an application from the date of his last application) as may be specified in the direction.

Miscellaneous.

15. Any person not a member of the Institute of Export of Nigeria incorporated under Company and Allied Matter Act Part C (in this Bill referred to as "the Incorporated Institute") who but this Bill would have been qualified to apply for and obtain membership of the Incorporated Institute may within the period of Six months beginning from the commencement of this Bill apply for membership of the Institute in such manner as may be prescribed by rules made by the Council, and if approved he/she shall be registered according to his/her qualification.

Professional practice.

16. (1) Subject to subsection (2) of this section a person shall be deemed to practice as a member of the Profession, if in consideration of remuneration received or to be received and whether himself/herself or in partnership with any other person:

(a) he/she engages himself/herself in the Practice of Export and Commodity trade or holds himself/herself out to the public as a member of the Institute: or

(b) he/she renders professional services, which may by regulations made by the Council, with the approval of the Minister, be designed as Service constituting Export and Commodity Brokers Practice or He/she may render any other Service, which may by regulations made by the Council, with the approval of Minister, be designed as Service constituting Export and Commodity Brokers Practice or

(c) describe himself/herself as a Chartered Commodity Broker (CCB) of Chartered Institute of Export and Commodity Brokers of Nigeria.

Nothing in this section shall be construed so as to apply to persons who, while in the employment of any Government or engaged in Commerce and Industry perform the duties

of Export and Commodity Brokers.

Rules as to practice etc.

17. (1) The Council may make rules:

(a) for the Training of suitable persons in Export and Commodity trade;

(b) for the Supervision and regulation of the management, training and transfer of such persons.

(2) The Council may also make rules:

(a) prescribing the amount and the date for repayment of the annual subscription;

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

(c) restricting the right to practice in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules.

(3) Rules when made under this section shall if the Chairman of the Council so direct, be published in the Gazette.

Provision of library facilities

18. The Institute shall:

(a) provide and maintain a Library comprising books and publication for the advancement of knowledge on Import, Export, Shipping, Foreign Trade, Commodity Trade, World Trade etc and cognate subject as applied to all or any of the Professions Services Provided by Export and Commodity Brokers engage in Public Practice, Industry and Commerce or the Civil Service and such other books and Publications as the Council may think necessary for the purpose of Export and Commodity trade advancement;

(b) encourage Research into Export and Commodity trade to the extent that Council may from time to time consider it necessary to give award to the best researchers.

Offence.

19. (1) If any person for the purpose of procuring the registration of any name, qualification or other names:

(a) makes a statement, which he believes to be false in a material, particular he shall be guilty of an offence;

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

(2) If on or after the relevant date, any person who is not a member of the Institute practice or holds himself out to practice for or in expectation of reward or takes or uses any name, title, addition or description implying that he is a member of the Institute, he shall be guilty of an offence, provided that in the case of a person falling under section 15 of this Bill.

(3) If the Registrar or any other person employed by on behalf of the Institute willfully

makes any falsification in any matter relating to the Register he shall be guilty of an offence.

(4) A person guilty of an offence under this section shall be liable to:

(a) on summary conviction to a fine of an amount not exceeding twenty thousand naira only;

(b) on conviction or indictment, to a fine of an amount not exceeding One hundred thousand Naira only or to imprisonment for a term not exceeding two year or both;

(c) where an offence under this section which has been committed by a body Corporate is proved to have been committed with the consent of connivance of or director, Manager, Secretary or other similar Officer of the body Corporate any person purporting to act in any such capacity, he as well as the body Corporate, shall be deemed to be guilty of that offence and shall be liable to be prosecuted and punished accordingly.

Regulations and rules.

20. (1) Any regulation made under this Bill, shall be published in the Gazette as soon as may be after they are made and a copy of any such regulation shall be forwarded to the Minister not later than 7 days before they are published.

(2) Rules made for the purposes of this Bill shall be subject to confirmation by the Institute at its meeting convened for the purpose, but if annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rules.

Transfer to Institute certain assets and facilities.

21. (1) On the Commencement on this Bill:

(a) all assets and liabilities held or incurred immediately before that day by or on behalf of the Incorporated Institute shall, by virtue of this Bill and without further assurance, vest in the Institute and be held by it for the purpose of the Institute;

(b) the Incorporated Institute shall cease to exist; and

(c) subject to subsection (2) of the section, any act or thing made or done by the Incorporated Institute shall be deemed to have been made or done by the Institute.

(2) The provision of schedule 3 to this Bill shall have effect with the respect of matters arising from the transfer by this section to the Institute of the property of the Incorporated Institute and with respect to the other matters mentioned therein.

Interpretation.

22. In the Bill unless the context otherwise requires:

"Institute" means the Chartered Institute of Export and Commodity Broker of Nigeria established by Section 1 of the Bill;

"Council" means the Council established as the governing body of the Institute under Section 4 of this Bill;

"Disciplinary Tribunal" means the Chartered Institute of Export and Commodity Brokers of Nigeria Disciplinary Tribunal establish under Section 13 of this Bill;

"Fees" means all payment including subscriptions;

"Incorporated Institute" means the Institute of Export of Nigeria Incorporated under the Companies and Allied Matters Decree 1 of 1990 Part C. Registration number R/307, Certificate number 6690 of 4th May, 1992;

"Members of the Institute" means a registered member of the Institute;

"Investigating Panel" means the Chartered Institute of Export and Commodity Brokers of Nigeria investigating panel established under section 13, subsection (3) of this Bill;

"Profession" means the Practitioners Practicing the Export and Commodity trade in Nigeria as Business;

"Export Manager" means qualified person to Practice Export Business in Nigeria;

"Export Consultant" means person holding himself out to advise on Import and Export in Nigeria;

"Chartered Practitioner" means a Corporate Member of the Institute licensed to Practice Export and Commodity trade in Nigeria by the Institute;

"The Appointed day" means the day appointed under section 22 (2) of this Bill;

"Register" means the book maintained in pursuance of section 7, subsection 2 of this Bill;

"Registrar" means the Office holder under this name in the Institute;

"President and Deputy President" means respectively the Office holder under these name in the Institute;

"Minister" means the Minister of the Government of the Federation Charged with the responsibility for Export Promotion and Commodity development.

23. This Bill may be cited as the Chartered Institute of Export and Commodity Brokers of Nigeria Bill, 2016. Citation.

SCHEDULES

SCHEDULE 1

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualifications and Tenure of Office of Members of the Council

1. (1) Subject to the provisions of this paragraph, a member of the Council shall hold Office for a period of four years beginning with the date of his/her appointment or election.

(2) Any member of the Institute who ceases to be a member thereof shall, if he/she is also a member of the Council cease to hold Office of the Council.

(3) Any nominated member of the Council may, by notice in writing under his hand,

politics today

Ondo APC aspirants kick, reject elders' consensus arrangement

Peter Dada, Akure

SOME governorship aspirants of the All Progressives Congress in Ondo State have rejected an alleged plan by a group of elders in the party to pick a consensus candidate ahead of the forthcoming governorship election in the state scheduled for November 26, 2016.

It was gathered that the elders, under the auspices of Akoko Elders Assembly, were making an arrangement for all the APC governorship aspirants to produce a consensus candidate in Akoko in order to enable an Akoko indigene win the party's primary.

In a statement jointly signed on Monday by some of the aspirants, who include Senator Ajayi Boroffice, Mr. Victor Olabimtan, Dr. Tunji Abayomi and Mr. Gani Dauda, the aspirants described the plan as unconstitutional.

The elders were said to have met on April 29, 2016 at the residence of one of the party's statesmen, Pa Felix Aiyegbusi, where they (elders) gave an ultimatum to all the APC governorship aspirants from Akokoland to present a consensus candidate.

It was gathered that the elders warned that they would impose a candidate on the aspirants if they failed to come up with a consensus candidate.

However, the aspirants said in the statement that section 20 of the APC Constitution empowered only the National Executive Committee of the party to provide the guidelines for the conduct of congresses at an appropriate time.

The statement read in part, "We also need to state affirmatively that we will not recognise or accept the decision taken at the Baba Felix Aiyegbusi's residence as binding on us (because) the meeting has the potential to cause serious and dangerous disunity in Akoko.

"It is terribly subjective, considering the fact that many of the so-called elders at that meeting are already in the campaign team of at least one candidate. In fact, they go from one location to another with a particular candidate."

The aspirants said the constitution of the APC only recognised two ways through which candidates could emerge, stressing that it was either by internal party election duly held through a relevant congress or primary or by a consensus among aspirants.

The aspirants said the method through which the elders wanted to pick a candidate was unconstitutional, stressing that they would disregard the outcome of the meeting.

LCDAs: Tejuoso's kinsmen condemn planned merger

Samuel Awoyinfa, Abeokuta

GOVERNOR Ibikunle Amosun has been advised to study the bill passed by the Ogun State House of Assembly on the creation of an additional 37 Local Council Development Areas before signing it into law.

This piece of advice was given by the Oluwo of Oke Ona/Oko, Chief Abayomi Jiboku, during a press conference to register Oke Ona/Orile Oko people's displeasure over the merging of Orile Oko community with the Remo-North Local Government Area of the state, instead of being merged with their kinsmen in the Obafemi/Owode LGA.

Oba Adedapo Tejuoso is the Osile of Oke Ona, Egba.

The Ogun State House of Assembly had on Thursday, May 5, 2016 passed the amended bill on the creation of 37 LCDAs for the governor's assent.

But Jiboku, who spoke for the concerned people, decried what he termed "the illogical and illegal merging" of Orile Oko people with the Remo-North LG, adding that "Orile Oko is the homestead of Oke Ona Egba people."

According to him, a referendum was conducted in 2002 when the then Governor, Chief Olusegun Osoba, created 32 LCDAs, in which Orile Oko people massively voted not to go with Remo.

He noted that the only amendment to the bill passed by the House of Assembly last week was the return of Orile Oko to Remo-North Local Government apart from the inclusion of the newly-created five LCDAs.

Jiboku advised the governor to take a second look at the issue of Orile Oko before signing the bill into law in order to prevent what he termed "unnecessary intra-communal clashes."

He said, "The Ogun State House of Assembly erred in law when it conducted a public hearing on 32 Local Council Development Areas created by the Local Government (Creation and Transitional Provisions) Law of Ogun State, 2002. The public hearing ought to have been conducted on the five newly-created LCDAs and not on the entire 37 because all due process had been observed in respect of the 32 LCDAs created in 2002.

"Referendum was conducted then in Orile Oko and our people voted "yes" to be merged with Obafemi/Owode Local Government Area. The bill was passed and signed into law by former Governor Osoba in the public view at the June 12 Cultural Centre in August 2002.

"By the result of the referendum conducted in Orile Oko in 2002, no government has the power to obliterate the sovereignty of the people of Orile Oko to be merged with their kith and kin in Obafemi/Owode LG. That referendum is their sovereignty, it is unalterable. It is immutable. It is undeniable. Governor Amosun must uphold the inalienable right of the people."

Protest greets Imo PDP congress

Gibson Achonu, Owerri

NO fewer than 300 aggrieved members of the Imo State Peoples Democratic Party took to the streets on Monday in protest of alleged irregularities that trailed the just concluded ward and local government congresses in the state.

Acting under the umbrella of the Coalition of True Imo PDP Democrats, the protesters stormed the PDP state secretariat in Owerri around 9am, in buses from the 27 LGAs of the state.

They chanted solidarity songs even as they rained invectives on those they accused of rigging the congresses.

Specifically, they said some politicians were out to rig the congresses in order to favour their interests ahead of the 2019 general election.

Some of the placards read, "To hell with congress manipulators," "We condemn bribe takers," "Sheriff, leave us alone," "Orlu zone not for sale," "PDP in Ideato-South says no to impunity," among others.

A petition by the protesting members, which was signed Mr. Tony Mbaegbu, called on the National Chairman of the party, Alhaji Modu Sheriff, to redress the allegation of disenfranchisement during the congresses.

In the petition titled, "Flawed PDP congresses in Imo State," the aggrieved members said it was injustice on the path of those who conducted the congresses to disenfranchise party men and women who had hoped to elect their leaders during the congresses.

The petitioners said, "One had thought that the era of impunity was over in the PDP but we had a replication of the same pattern of impunity that created the problems we are having today."

Mbaegbu, who also addressed the crowd of protesters, saw his speech being interrupted with ovations by the aggrieved members.

HOUSE OF REPRESENTATIVE

COMMITTEE ON COMMERC

NATIONAL ASSEMBLY, ABUJA

CORDIALLY INVITES

STAKEHOLDERS, CIVIL SOCIETY ORGANIZATIONS, PROFESSIONAL BODIES A THE GENERAL PUBLIC TO THE

PUBLIC HEARING

ON

- A Bill for an Act to Establish the Corpo Social Responsibility Act; and for Other Ma Connected Therewith (HB 117).
- A Bill for an Act to Establish the Chart Institute of Customer Relationship Manage to be charged with the Responsibility; Registration, Discipline of its Members Regulate and Control the Practice of Custo Service Profession; and for Related Ma Connected Therewith (HB 69).
- A Bill for an Act to Amend the Companies Allied Matters Act, 2004; and Other Re Matters.
- A Bill for an Act to provide for Establishment of the Chartered Institut Export and Commodity Brokers of Nigeria; for Other Matters Connected Therewith (HB

Date: 23rd - 24th May 2016

Venue: Conference Room 231, House of Representatives, New Building, National Assembly Complex, Ab

Time: 10.00 a.m.

All Stakeholders, Interest Groups and Individuals wishi submit Memoranda and to make Presentations sh forward twenty-five (25) copies of their submissions o before 20th May, 2016 to:

The Clerk, House Committee on Commerce, Room (3rd Floor), White House, National Assembly Comp Abuja

Rt. Hon. Sylvester Ogbaga
Chairman

addressed to the President, resign his office and any appointed members may with the consent of the Minister in the same manner resign his office.

(4) A person who retires from or otherwise ceases to be a nominated member of the Council shall be eligible again to become a member of the Council, and any appointed member may be re-appointed.

(5) (a) Nominations to the Council shall be held in such manner as may be prescribe by rules made by the Council.

(b) Retirement of elected Council members shall be prescribed by rules made by the Council.

(c) The past Presidents and Registrars of the institute seized to be members of the Council on attaining the age of seventy-five (75) years.

(6) If for any reason, a Member of the Council vacates office and:

(a) such member was appointed by the Minister or any other body, the Minister or that body may appoint another fit person to fill that vacancy or

(b) such member was nominated by the Institute, the Council may, if the time between the unexpected portion of the term of Office and the next general meeting or the Institute appears to accept the filling of the vacancy co-opted a fit person for such time as aforesaid.

(7) Election to the Council shall be held in such manner as may be prescribed by the rules made by the Council and until so prescribed they shall be decided by a show of hands.

(8) The six person nominated by the Institute shall be from the six Geopolitical zones of Nigeria.

Power and Proceedings of the Councils

2. (1) The Council shall have power to do anything, which in its option is calculated to facilitate the objects of the Institute

(2) Subjects to the provisions to this Bill the Council may in the name of the Institute make standing order regulating the proceedings of the Institute or to the Council, and o in the exercise of its powers under this Bill may set up Committees in the general interest of the Institute and make standing orders thereof.

(3) Standing orders shall provide for decisions taken by a majority of the members, and in the event of equality of votes, the President or the Chairman, shall have a second or casting vote.

(4) Standing orders made for a Committee shall provide that the Committee is to report back to the Council on any matter not within its competence to decide.

(5) The quorum of the Council shall be fifteen, and the quorum of a Committee of the Council shall be fixed by the Council.

Meeting of the Institute.

3. (1) The Council shall convene the Anniversary meeting of the Institute on the 29th day of May, every year or on such other day as the Council may, from time to time appoint, so however, that if the meeting is not held two years after the previous meetings, the Council shall look into the purpose why the meeting could not hold and resolve it.

(2) A special meeting of the Institute may be convened by the Council at any time and not less than twenty five members of the Institute so require by notice in writing addressed by the Registrar who is the Secretary of the Council of the Institute setting out the objective of the proposed meeting, and the Chairman of the Council shall preside-over a special meeting of the Institute.

(3) The quorum of any meeting of the Institute shall be fifteen members and that of any general meeting of the Institute shall be Forty-Five.

Meeting of the Council

4. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is required to do so, by notice in writing given to the Secretary by not less than five other members, he shall summon a meeting of the Council to be held within seven days from the date on which the notice is given.

(2) At any meeting of the Council, the President or in his absence, the Deputy President shall preside, but if both are absent, the members present at the meeting shall appoint one of their members to preside in the meeting.

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

(4) Notwithstanding anything in the foregoing provisions of this paragraph the first meeting of the Council shall be convened after consultation with the Minister, who may give such directions as he thinks fit to the procedure which shall be followed at the meeting.

Committee

5. (1) The Council may appoint one or more Committees to carry out on behalf of the Institute or of the Council such functions as the Council determines.

(2) A Committee appointed under this paragraph shall consist of the number of persons determines by the Council of whom not more than one third may be persons who are not members of the Council.

(3) A person other than a member of the Council shall hold on the Committee In accordance with the terms of the letter by which he was appointed.

(4) A decision of a Committee of the Council shall be no effect until it is confirmed by the Council.

Miscellaneous

6. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President or of some other member the Council authorized generally or specially by the Institute to act for that purpose.

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

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

(4) The validity of any proceedings of the Institute or the Councilor of a Committee of the Council shall not be adversely affected by any vacancy in membership or by any defect in the appointment of a member of the Institute or of the Council or of a person to serve on the Committee or by reason that a person not entitled to do so took part in the proceedings.

(5) Any member of the Institute or of the Council and any person hold Office on a Committee of the Council, who has personal interest in any contract or arrangement entered into proposed to be considered by the Council on behalf of the Institute, or on behalf of the Council, or a Committee thereof, shall forthwith disclose his/her interest to the President or to the Council, as the case may be and shall not vote on any question relating to the contract or arrangement.

(6) A person shall not by reason of his/her membership of the Institute be required to disclose any interest relating solely to the audit of the accounts of the Institute.

SCHEDULE 2

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATION PANEL

The Disciplinary Tribunal

1. The quorum of the Disciplinary Tribunal shall be Five of whom at least two shall be registered members

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

(2) The rules shall in particular provide:

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

(b) for determining who, in addition to the person aforesaid, shall be a party to the

proceedings;

(c) for securing that any part to the proceedings shall, if he so required, be entitled to be heard by the Disciplinary Tribunal;

(d) for securing that any party to the proceedings may be represented by a Legal Practitioner;

(e) subject to the provisions of section 19 (4) (a) and (b) of this Bill as the cost of proceedings before the Disciplinary Tribunal;

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

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

3. For the purposes of any proceedings before the Disciplinary Tribunal any member of Disciplinary Tribunal may administer Oaths and any party to the proceedings may sue out of the registry of the High Court Writs of subpoem and testificandum and daces rectum, but no person appearing before the Disciplinary Tribunal shall be compelled:

(a) to make any statement before Disciplinary Tribunal tending to incriminate himself for;

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

4. (1) For the purpose of advising the Disciplinary Tribunal on questions of law arising in proceeding before it, there shall in all such proceedings be an assessor to the Disciplinary Tribunal who shall be appointed by the Council on the nomination of the Attorney General of the Federation and shall be a legal practitioner of not less than seven years standing.

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

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

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

(3) An assessor may be appointed under this paragraph either generally or for any particular

proceedings or class of proceedings and shall hold and vacate office accordance with the terms of the letter by which he/she is appointed.

The Investigation Panel

5. The quorum of the investigating panel shall be three.

6. (1) Investigating Panel may at any of its meeting attended by all the investigating panel make standing orders with respect to the investigating panel.

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

Miscellaneous

7. (1) A person ceasing to be a member of the Disciplinary Tribunal or the investigating panel shall be eligible for appointment as a member of the Disciplinary Tribunal or investigating Panel as the case may be.

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

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

(2) Any document authorized or required by virtue of this Bill to be served on the Disciplinary Tribunal or the Investigating Panel shall be served on the Registrar.

9. (1) Any expenses of the disciplinary tribunal or the Investigating Panel shall be defrayed by the Institution.

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

SCHEDULE 3

TRANSITIONAL PROVISIONS AS TO PROPERTY

1. (1) Every agreement to which the Incorporated Institute was a party not and whether or not of such a nature that the rights, liabilities and obligations there under could be assigned by the Incorporated Institute shall unless its terms or subject matter make it impossible that it should have effect from the commencement of this Bill, so far as it relates to assets and liabilities transferred by this Bill to the Institute, as if:

(a) the Institute had been a party to the agreement;

(b) for any reference (however worded whether express or implied) to the Incorporated

Institute, there was substituted as respects anything failing to be done or after the commencement of this Bill reference to the Institute; and

(c) for any reference (however worded whether express or implied) to a members of the Council of the Incorporate Institute or an officer of the Incorporated Institute, there were substituted as respects failing to be done on or after the Council under this Bill a reference to a member or member of the Council under this Bill to the officer of the Incorporated Institute who corresponds as neatly as may be to the member or officer in question of the Incorporated Institute.

(2) Other documents, which refer, whether specially or generally, to be Incorporated Institute shall be consider in accordance with subparagraph (1) of this paragraph as far as applicable.

(3) Without prejudice to the generality of the foregoing provisions of this schedule, whereby the operation of this Bill any right, liability or obligation vests in the Institute, the Institute and all other persons shall as from the commencement of this Bill day, have the same right, power and

(4) Remedies (and in particular, the same rights as to taking or residing of legal proceedings or the making of resisting of applications to any authority) for ascertaining, performing or enforcing that right liability or obligation of the Institute.

(5) Any legal proceedings or application to any authority pending on the appointed day by or against the Incorporate Institute and relating to assets or liability transferred by this Bill to the Institute may be continued on or after that day or against the Institute.

(6) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfer or property (but not for avoidance of transfer, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property aforesaid and it shall be the duty of the Institute to furnish the necessary particulars of the transfer to the officer of the registration authority, and for that officer to register the transfer accordingly.

Transfer of Functions

2. (1) At its first meeting, the Council shall fix a date (not later six months after the appointed day) for the Annual meeting of the Institute.

(2) The members of the Council of the Incorporated Institute shall be deemed to be the member of the Council of the Institute until the date determined in pursuance of the foregoing subparagraph when the Institute shall have its first annual meeting and they shall cease to hold office at the conclusion of such meeting.

(3) Any person or who, immediately before the appointed day, held office in the President or Deputy President of the Council Incorporated Institute by virtue of the articles of the Incorporated Institute shall on that day become the President or as the case may be, the Deputy President of the Institute, and shall be deemed to have been appointed:

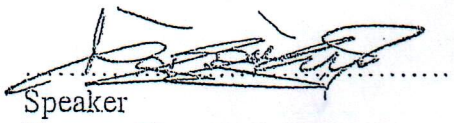
(a) to that office in pursuance of provision of this Bill, corresponding to the relevant provisions in the said articles of the Incorporated Institute, and on the date on which he took office, in pursuance of the relevant provision of those articles.

(4) The members of the Incorporated Institute shall as from this day, be registered as members of the Institute and without prejudice to generality of the provisions of this schedule relating to the transfer of property, any person who immediately before the appointed day was a member of the Staff of the Incorporated Institute shall on that day become the holder of an appointment with the Institute with the status designation and functions which correspond as nearly as may be those which appertained to him in his capacity as a member of the staff.

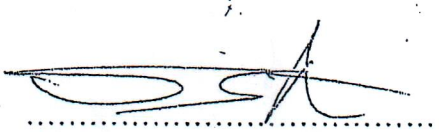
(5) Any person being an office holder on or member of the Council of the Incorporated Institute immediately before the appointed day and deemed under this Paragraph to have been appointed to any like position in the Institute, or on the Council of the Institute and thereafter ceasing to hold office otherwise than by reason of his misconduct, shall be eligible for appointment to office in the Institute or to membership of the Council as the case may be.

(6) All regulations, rules and similar instruments made for the purpose of the Incorporated Institute and in force immediately before the appointed day, shall except in that behalf, have office with any necessary modifications, as if duty made for the corresponding purposes of the Institute.

PASSED BY THE HOUSE OF REPRESENTATIVES ON THURSDAY, 1ST DECEMBER, 2016



Speaker
House of Representatives



Clerk
House of Representatives