

NIGERIA INSTITUTE FOR PLANT PROTECTION

(ESTABLISHMENT) BILL, 2019.

ARRANGEMENT OF SECTIONS

Clauses:

1. Establishment of the Institute and Incorporation
2. Functions of the Institute
3. Powers of the Institute
4. Establishment of the Council
5. Election of Members of the Council
6. Tenure of Office
7. The Functions of the Council
8. Funds
9. Bank Account
10. Investment
11. Borrowing Power
12. Accounts of the Institute
13. Appointment of Registrar
14. Register of the Institute
15. Registration of Members
16. Registered Member
17. Associates
18. Fellows
19. Honorary
20. Certificate and Honours
21. Accreditation
22. Professional Misconduct
23. Disciplinary Misconduct
24. Investigating Panel
25. Tribunal Rules Schedule
26. Penalties

- 1 (a) resigns his office, by a written notice to the Council;
- 2 (b) is removed from office by the Council, by reason of his
- 3 professional misconduct or physical or mental infirmity; or
- 4 (c) without leave of the Council, absents himself from 3 consecutive
- 5 meetings of the Council;

The functions
of the Council

- 6 7. The functions of the Council shall be to:
- 7 (a) carry into effect the functions and powers of the Institute;
- 8 (b) govern the affairs of the Institute;
- 9 (c) effect proper management of the Institute;
- 10 (d) do other acts and things as the Council may consider necessary for
- 11 carrying out the functions and powers of the Institute; and
- 12 (d) Undertake other activities as the Council may consider necessary
- 13 for carrying out the functions and powers of the Institute;

Funds

- 14 8. The funds of the Institute shall consist of:
- 15 (a) contributions, levies, subscriptions, fees and other dues paid by
- 16 the Members;
- 17 (b) revenue accruing to the Institute from its investments, activities
- 18 and services;
- 19 (c) grants, endowments and donations from Governments, agencies,
- 20 organizations, benefactors and other donors;
- 21 (d) revenue accruing to the Institute from any other source approved
- 22 by the Council;

Bank Account

- 23 9. The funds of the Institute shall be paid into an account in a
- 24 reputable bank approved by the Council and no instrument for the withdrawal
- 25 of any money from that account shall be valid unless it is authenticated by the
- 26 signatures of the President and the Registrar or by the signatures of such
- 27 officers of the Institute as may from time to time be approved by the Council.

Investment

- 28 10. The Institute may from time to time subject to such terms and
- 29 conditions as the Council may approve, invest any part of its funds in any
- 30 securities and may at any time dispose of such securities.

1 statement in any affidavit sworn to for the purpose of such proceedings, the
2 Tribunal may refer the matter to the Attorney-General of the Federation for
3 such action as the Attorney-General may think fit.

4 9. If after the hearing, the Tribunal adjudges that the charge of
5 professional misconduct has not been proved, the Tribunal;

6 (a) shall record the findings that the respondent is not guilty of such
7 misconduct in respect of which the charge was preferred; and

8 (b) may nevertheless order any party (except the complainant) to pay
9 the costs of the proceedings, having regard in his conduct and to all the
10 circumstances of the case.

11 *Publication of Finding*

12 10. Any finding made or direction given by the Tribunal shall be
13 published in the Federal Gazette immediately after such finding or direction, as
14 the case may be.

15 11. The Chairman shall during the hearing, take the minutes of the
16 proceedings which shall be open to inspection by the parties and shall be made
17 available to any party upon the payment of such charges as the Registrar may
18 by instrument published in the Federal Gazette, fix.

19 *Miscellaneous powers of Tribunal*

20 12. The Tribunal may dispense with any requirements of these rules
21 regarding notices, affidavits, documents, service or time for doing or omitting
22 anything, in any case where it appears to the Tribunal to be just or expedient so
23 to do, and the Tribunal may in any particular case extend the time for doing
24 anything under these rules.

25 *Powers to retain exhibit pending appeal*

26 13. Books and other exhibits whatsoever produced or used at the
27 hearing shall unless the Tribunal otherwise directs, be retained by the Registrar
28 until the expiry of the time for filing an appeal against any finding or direction
29 of the Tribunal or, if notice of any such appeal is given, until the hearing and
30 disposal of the appeal.

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Appointment and duties of Assessors

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14.-(1) An Assessor, shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in his instrument of appointment, and where the appointment is not a general one, it shall have effect only in respect of a particular proceeding of the Tribunal.

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(2) Subject to the terms of his appointment, an assessor shall attend the proceedings of the Tribunal whenever required to do so by notice in writing given to him by the Registrar not later than 3 days, before the date fixed for the hearing of such Proceedings; and he shall advise the Tribunal on questions of law only.

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Miscellaneous

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Interpretation

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15. In this Rules (Schedule):

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"Complainant" means a person or body appearing before the Tribunal, professional misconduct against a member of the Institute;

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"Respondent" means the persons required to answer to any charge of Professional misconduct.

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Citation

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16. This Rules in this Schedule may be cited as the Nigeria Institute for Plant Protection (Disciplinary Tribunal) Rules.

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EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Institute for Plant Protection charged with the responsibilities for regulating the profession of Plants Protection in Nigeria.

The establishment of this Bill is necessitated to meet international best practice in regulating and professionalism in Plants Protection, etc.

