

A BILL**FOR**

AN ACT TO MAKE PROVISIONS FOR THE ISSUE OF NEW CURRENCY NOTES, THE CONVERSION OF EXISTING CURRENCY NOTES AND FOR MATTERS CONNECTED THEREWITH.

Sponsored by SENATOR E. P. ECHERUO,
Okigwe South Senatorial District,
Imo State

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<i>Badagry Senatorial District,</i>
<i>Lagos State</i> |
| 9. SENATOR ABUBAKAR MAGAJI,
<i>Suleja Senatorial District,</i>
<i>Niger State</i> | 19. SENATOR I. N. ANI,
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<i>Anambra State</i> |
| 10. SENATOR SUEMO-CHIA,
<i>Benue East</i>
<i>Senatorial District,</i>
<i>Benue State</i> | 20. SENATOR J. O. OLU,
<i>Kwara South-East</i>
<i>Senatorial District,</i>
<i>Kwara State</i> |

[]

Commence-
ment.

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria as follows :—

3 1. The Central Bank shall on 1st May, 1983, issue new currency
4 notes of different colours from existing currency notes and the new
5 currency notes shall be legal tender throughout Nigeria.

Issue of new
currency
notes.

6 2.—(1) Existing currency notes shall on 31st July, 1983 (hereafter
7 referred to as "the conversion date") cease to be legal tender and shall
8 be exchanged in accordance with the provisions of subsection (2) of
9 this section.

Exchange of
existing
notes.

10 (2) Existing currency notes of any value held by any person shall
11 be exchanged for the new currency notes to the same value if, not later
12 than the conversion date, the existing currency notes are—

13 (a) presented to the Central Bank by any commercial bank ; or

14 (b) paid into an account in any commercial bank :

15 Provided that where the total value of the existing currency
16 notes presented by any person to any bank or any subtreasury of
17 the Government of the Federation or of a State, for exchange,
18 is not more than ₦2,000 the bank or subtreasury as the case may
19 be, shall exchange those notes for the new currency notes to the
20 same value, without requiring that person to pay those notes into
21 an account in any bank.

22 (3) Any person who contravenes the provision of subsection (2)
23 of this section shall be guilty of an offence and liable upon conviction
24 to imprisonment for 3 months without the option of a fine.

25 3. Existing currency notes held outside Nigeria by any person
26 shall on or before the conversion date be exchanged for the new currency
27 notes :

Currency
notes held
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24 to imprisonment for 3 months without the option of a fine.

25 3. Existing currency notes held outside Nigeria by any person
26 shall on or before the conversion date be exchanged for the new currency
27 notes :

Currency
notes held
outside
Nigeria.

- 1 Provided that—
- 2 (a) the total value of those notes does not exceed ₦50 ;
- 3 (b) the commercial bank to which those notes are presented is
- 4 satisfied that that person from his passport and other travel docu-
- 5 ments was not in Nigeria during the period between 1st May, 1983
- 6 and 31st July, 1983.

Interpre-
tion.

- 7 4. In this Act—
- 8 “Bank” or “Commercial bank” means bank licensed or deemed
- 9 to have been licensed under the Banking Act 1969 ;
- 10 “Central Bank” means Central Bank of Nigeria established under
- 11 the Central Bank of Nigeria Act.

Short title.

- 12 5. This Act may be cited as the Currency Conversion Act 1983.

EXPLANATORY MEMORANDUM

This Bill seeks to introduce new currency notes for circulation throughout Nigeria as a means of enhancing the liquidity of the banks and thereby strengthening the economy.

A BILL

FOR

AN ACT TO AMEND THE INDIAN HEMP ACT 1966 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. JONAS O. IWUAGWU,
Mhano West Federal Constituency,
Imo State*

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Commence-
men .

1 BE IT ENACTED by the National Assembly of the Federal

2 Republic of Nigeria as follows—

3 1. Section 2 of the principal Act is hereby amended in
4 subsection (1) thereof by *substituting* for the words “ten years”, the
5 words “twenty-one years without the option of a fine”.

Amendment
to section 2
of principal
Act.

6 2. Section 3 of the principal Act is hereby amended, in
7 subsection (1) thereof by *substituting* for the words “ten years” the
8 words “fifteen years without the option of a fine”.

Amendment
to section 3
of principal
Act.

9 3. Section 4 of the principal Act is hereby amended, by *inserting*
10 immediately after the words “ten years” the words “without the option
11 of a fine”.

Amendment
to section 4
of principal
Act.

Amendment
to section 5
of principal
Act.

1 4. Section 5 of the principal Act is hereby amended in
2 subsection (1) thereof by *substituting* for the words "ten years" the
3 words "five years without the option of a fine".

Amendment
to section 7
of principal
Act.

4 5. Section 7 of the principal Act is hereby amended in
5 subsections (1) and (2) thereof by *substituting* for the words "ten years"
6 whenever it may occur the words "five years without the option
7 of a fine".

Interpreta-
tion.

8 6. In this Act—
9 "principal Act" means Indian Hemp Act 1966.

Short title.

10 7. This Act may be cited as the Indian Hemp (Amendment)
11 Act 1983.

EXPLANATORY MEMORANDUM

This Bill seeks to increase the penalties for various offences under the Indian Hemp Act 1966.

A BILL

FOR

AN ACT TO AMEND THE INCOME TAX MANAGEMENT ACT 1961 AND FOR MATTERS
CONNECTED THEREWITH.

*Sponsored by HON. FOLA OMIDIJI,
Egba Alake Federal Constituency,
Ogun State*

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Commence-
ment.

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria as follows—

3 1. The Third Schedule to the Income Tax Management Act 1961
4 is hereby amended—

Amendment
to third
schedule to
No. 21 of
1961.

5 (a) by substituting for paragraph (p) thereof the following new
6 paragraph—

7 “(p) Gratuities payable to—

8 (i) any public officer for services rendered in the public
9 service of the Federation or of a State ; and

10 (ii) any employee in respect of services rendered by him under
11 a contract of service with an employer and described as gratuities
12 in such contract or some other instrument issued by or on behalf
13 of the employer relating to the payment of gratuities or retirement
14 benefits to his staff” ; and

15 (b) in paragraph (q) by deleting the expression—

16 “subject to the like provisions as those contained in the proviso
17 to paragraph (p)”.

Short title. 1 2. This Act may be cited as the Income Tax Management (Amend-
2 ment) Act 1983.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Income Tax Management Act 1961 so as to exempt from taxation the gratuities paid to all employees whether in the public or private sector.

A BILL

FOR

AN ACT TO AMEND THE ALLOCATION OF REVENUE (FEDERATION ACCOUNT, ETC.) ACT 1981 AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. CHIEF ADEYINKA MAKO,
Ijebu North Constituency,
Ogun State*

[]

Commence-
ment.

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria as follows—

3 1. Section 1 of the principal Act is hereby amended—

Amendment
to section 1
of principal
Act.

4 (a) in paragraph (a) thereof by *substituting* for the figure "55" the
5 figure "37.5" ;

6 (b) in paragraph (b) thereof by *substituting* for the figure "35" the
7 figure "47.5" ; and

8 (c) in paragraph (c) thereof by *substituting* for the figure "10" the
9 figure "15".

10 2. Section 2 of the principal Act is hereby amended—

Amendment
to section 2
of principal
Act.

11 (a) in subsection (1) thereof by *substituting* for the figure "35" the
12 figure "47.5" ;

13 (b) in subsections (2) and (3) thereof by *substituting* for the figure
14 "30.5" wherever it may occur the figure "43" ; and

15 (c) by *deleting* subsection (4) thereof.

Amendment
to section 4
of principal
Act.

1 3. Section 4 of the principal Act is hereby amended by *substituting*
2 for the words "revenue for that quarter of the State concerned" the
3 words "internal revenue of the State for the quarter".

Interpreta-
tion.

4 4. In this Act—
5 "principal Act" means the Allocation of Revenue (Federation
6 Account, etc.) Act 1981.

Short title
and com-
mencement.

7 5. This Act may be cited as the Allocation of Revenue (Federation
8 Account, etc.) (Amendment) Act 1983 and shall be deemed to have
9 come into force on 1st January, 1983.

EXPLANATORY MEMORANDUM

This Bill seeks to increase the revenue allocated to the State Governments and Local Government Councils.

A BILL

FOR

AN ACT TO ESTABLISH THE INSTITUTE OF DENTAL TECHNOLOGISTS AND FOR MATTERS CONNECTED THEREWITH.

*Sponsored by HON. M. A. AGBAMUCHE,
Oshimili Federal Constituency,
Bendel State*

[]

Commence-
ment.

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria as follows—

3 PART I—ESTABLISHMENT AND COMPOSITION

4 1.—(1) There is hereby established an institute to be known as
5 the Institute of Dental Technologists of Nigeria.

Establish-
ment of
Institute.

6 (2) The Institute shall be a body corporate with perpetual succession
7 and a common seal, and with power to sue and be sued in its corporate
8 name and to own, hold and dispose of property (whether movable or
9 immovable).

10 2.—(1) The Institute shall have a governing body to be known
11 as the Council of the Institute of Dental Technologists.

Council and
Member-
ship.

12 (2) The Council shall consist of the following members all of whom
13 shall be appointed by the Minister—

14 (a) a Chairman who shall be a qualified dental technologist and has
15 practised for not less than ten years ;

16 (b) one qualified dental technologist from each State of the Federation ;

17 (c) the President of the Association of Dental Technologists of
18 Nigeria ;

1 (d) two instructors of dental technology ; and

2 (e) two persons who are not dental technologists.

3 (3) A member of the Council shall hold office for three years from
4 the date of his appointment but shall be eligible for re-appointment
5 for a second term only.

6 (4) Notwithstanding the provisions of subsection (3) of this section,
7 the Minister may at any time revoke the appointment of any member and a
8 member may by writing under his hand addressed to the Minister at
9 any time resign his appointment.

Provisions
applicable
to Council.

10 3. The provisions contained in the First Schedule to this Act shall
11 apply to the Council.

Registrar.

12 4.—(1) The Council shall appoint a fit and proper person to be the
13 Registrar of the Council.

14 (2) The Registrar shall in addition to his other duties under this
15 Act, be the Secretary to the Institute and shall on the instructions of the
16 Chairman of the Council, or any committee of the Council convene and
17 keep minutes of the proceedings at all meetings of the Council and com-
18 mittees thereof as the case may be.

19

PART II—FUNCTIONS

Functions.

20 5. The functions of the Institute shall be—

21 (a) from time to time to determine what standards of knowledge
22 and skill are to be attained by persons seeking to become members
23 of the Institute ;

24 (b) to secure in accordance with the provisions of this Act the esta-
25 blishment and maintenance of a register of persons registered under
26 this Act as members of the Institute and the publication from time to
27 time of lists of those persons ;

1 (c) to conduct examinations in dental technology and award
2 certificates and diplomas to successful candidates as appropriate ;

3 (d) to conduct research programmes in the science of dental
4 technology ; and

5 (e) to perform the other functions conferred on the Institute by
6 this Act.

7 ... 6. The Institute shall have power—

8 (a) subject to such terms and conditions as the Council may
9 approve, to employ staff (other than the Registrar) agents, contractors
10 and other workers to carry out any of its functions under this Act ;

11 (b) to establish such offices and branches of the Institute as the
12 Council may require in each State of the Federation for the per-
13 formance of any of its functions under this Act ;

14 (c) to fix the emoluments of all its staff and other workers ;

15 (d) to fix and charge fees for its services ; and

16 (e) to do such other things as the Council may from time to time
17 decide, for carrying out its functions under this Act.

18 7. The Institute may subject to such terms and conditions as the
19 Minister may approve, borrow such sums of money as it may from
20 time to time require for purposes of its functions under this Act.

21 PART III—REGISTER AND REGISTRATION

22 8.—(1) The Registrar shall prepare and maintain in accordance
23 with regulations made by the Council under section 26 of this Act
24 a register of the names, addresses, approved qualifications and such
25 other particulars as may be specified, of all persons who are entitled in
26 accordance with the provisions of this Act to be registered as
27 members of the Institute and who apply in the specified manner to
28 be so registered.

General
powers of
Institute.

Borrowing
powers.

Registrar.

1 (2) The Registrar shall—

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

5 (b) from time to time make any necessary alterations to the regis-
6 tered particulars of registered persons ; and

7 (c) remove from the register the name of any registered person who
8 has died or has been certified to be insane.

9 (3) If the Registrar—

10 (a) sends by registered post to any registered person a letter addres-
11 sed to him at his address as contained in the register enquiring whe-
12 ther the registered particulars relating to him are correct and receives
13 no reply to that letter within three months from the date of posting it ;
14 and

15 (b) upon the expiration of that period sends in like manner to the
16 person in question a second letter and receives no reply to that second
17 letter within three months from the date of posting it ;
18 the Registrar may remove the particulars relating to the person in
19 question from the register :

20 Provided that the Council may direct the Registrar to restore to
21 the register any particulars removed therefrom under this subsection.

22 9.—(1) The Registrar shall—

23 (a) cause the register to be printed, published and put on sale to
24 members of the public ;

25 (b) in each year after that in which a register is first published
26 under paragraph (a) of this subsection, cause to be printed, published
27 and put on sale as aforesaid either a corrected edition of the register
28 or a list of alterations made to each register since it was last printed ;

1 (c) cause a print of each edition of the register and of each list
2 of corrections to be deposited at the headquarters of the Institute ;
3 and

4 (d) Keep each register and lists so deposited open at all reasonable
5 times for inspection by members of the public.

6 (2) A document purporting to be a print of an edition of the register
7 published under this section in a previous or current year or a list of
8 corrections thereto, shall without prejudice to any other proof, be admis-
9 sible in any proceedings, as evidence that the person specified in the
10 document as being registered is so registered.

11 10.—(1) A person who is a citizen of Nigeria shall be entitled to be
12 registered under this Act as a dental technologist and receive a registra-
13 tion certificate if—

Registration
of registered
dental
technolog-
ists.

14 (a) he has attended a course of training approved by the Council
15 under section 13 of this Act ;

16 (b) the course was conducted at an institution so approved ;

17 (c) he holds one or more qualifications prescribed in the Third
18 Schedule to this Act for the purposes of registration in a particular
19 register and has complied with the other requirements prescribed
20 under section 26 of this Act ;

21 (d) he is of good character ; and

22 (e) he has paid the fees prescribed for registration.

23 (2) Without prejudice to subsection (1) of this section, a person who
24 is a citizen of Nigeria shall also be entitled to be fully registered under
25 this Act as a dental technologist if he satisfies the Council—

26 (a) that he holds a qualification granted outside Nigeria for the time
27 being accepted by the Council for the purposes of this subsection as
28 respects the profession ;

1 (b) that in the country in which the qualification was granted he was
2 under no legal disability in the practice of the profession ;

3 (c) that he is of good character ; and

4 (d) that he has paid the fees prescribed for registration.

5 (3) The Institute shall from time to time publish in the Gazette
6 particulars of the qualifications for the time being accepted for the pur-
7 poses of subsection (2) of this section.

8 (4) The qualifications specified in the Third Schedule to this Act
9 are those accepted for the time being by the Institute as the minimum
10 qualification for the purposes of registration in the register.

Temporary
registration.

11 11.—(1) A person who is not a citizen of Nigeria shall be entitled
12 to be temporarily registered under this Act if he satisfies the Council—

13 (a) that he has been selected for employment for a specified period
14 in a capacity in which a registered person under this Act would normally
15 be employed or that he is or intends to be in Nigeria temporarily for
16 the purpose of serving for that period in the employment in question ;

17 (b) that he holds or has passed examinations necessary for obtaining,
18 some qualifications granted outside Nigeria which is for the time being
19 accepted by the Institute for the purposes of this section as respects
20 the capacity in which, if employed, he is to serve ; and

21 (c) that he has paid the fees prescribed for registration.

22 (2) The temporary registration of any person shall continue only
23 while he is in the employment under subsection (1) of this section and
24 shall cease—

25 (a) on the termination of the period of employment specified to the
26 Council under that subsection, or

27 (b) on the termination of the said employment before the end of that
28 period ;

1 whichever first comes :

2 Provided that nothing in isth subsection shall preclude the Council
3 from giving a further direction under subsection (1) above in respect
4 of a specified period whose commencement coincides with the termi-
5 nation of another such period.

6 (3) A person who is temporarily registered shall, in relation to his
7 employment under subsection (1) of this section and to anything done
8 or omitted in the course of that employment, be deemed to be fully
9 registered but in respect of other matters he shall be treated as not so
10 registered.

11 (4) Where there is doubt as to whether a person's employment has
12 been terminated, the decision of the Council shall be conclusive for the
13 purposes of subsection (2) of this section.

14 (5) The Registrar shall as directed from time to time by the Council,
15 remove from the register the name of any person ceasing to be entitled to
16 the benefit of this section.

17 12. A person shall not be entitled to practise or hold appointment
18 as a dental technologist unless he is registered under this Act.

Entitlement
to practise
or hold
appointment.

19 PART IV—TRAINING

20 13.—(1) Subject to subsection (2) of this section, the Institute may
21 approve for the purposes of section 10 of this Act—

Approval of
courses.

22 (a) any course of training which is intended for persons seeking to
23 become members of the profession under this Act and which the
24 Institute considers is designed to confer on persons completing it
25 sufficient knowledge and skill for the practice of the profession ;

26 (b) any institution either in Nigeria or elsewhere, which the Institute
27 considers is properly organized and equipped for conducting the whole

1 or part of the course of training approved by the Institute under the
2 section ; and

3 (c) any qualification which, as a result of examinations taken in
4 conjunction with the course of training approved by the Institute under
5 this section, is granted to candidates reaching a standard at the exami-
6 nation indicating, in the opinion of the Institute, that they have
7 sufficient knowledge and skill to practise the profession to which the
8 qualification relates.

9 (2) The Institute shall from time to time publish in the Gazette a
10 list of qualifications relating to the profession approved by it for the
11 purposes of subsection (1) of this section.

12 (3) The Institute may, if it thinks fit, withdraw any approval given
13 under this section in respect of any course, qualification or institution
14 but before withdrawing such approval the Institute shall—

15 (a) give notice that it proposes to do so, to persons in Nigeria
16 appearing to the Institute to be persons by whom the course is conduc-
17 ted or the qualification is granted or the institution is controlled as
18 the case may be ;

19 (b) afford each such person an opportunity of making to the Insti-
20 tute representations with regard to the proposal ; and

21 (c) take into consideration any representations made as respects the
22 proposal in pursuance of paragraph (b) of this subsection.

23 (4) As respects any period during which the approval of the Institute
24 under this section for a course, institution or qualification is withdrawn,
25 the course, institution or qualification shall not be treated as approved
26 under this section, but the withdrawal of such an approval shall not
27 prejudice the registration or eligibility for registration of any person who

1 by virtue of the approval was registered or eligible for registration
2 immediately before the approval was withdrawn.

3 (5) The giving or withdrawal of an approval under this section
4 shall have effect from such date, after the execution of the instrument
5 signifying the giving or withdrawal of the approval, as the Institute may
6 specify in that instrument.

7 (6) The Institute shall as soon as maybe, publish a copy of every
8 instrument executed under subsection (5) of this section in the Gazette
9 and send a copy of that instrument to the Minister.

10 14.—(1) The Institute shall keep itself informed of the nature of—

Supervision
of instruc-
tions and
examinations
leading to
approved
qualifica-
tions.

11 (a) the instructions given at approved institutions to persons
12 attending approved courses of training ; and

13 (b) the examinations as a result of which approved qualifications
14 are granted,

15 and for the purpose of performing that duty, the Institute may appoint,
16 either from amongst its Council members or otherwise, persons to visit
17 approved institutions or be present at their examinations.

18 (2) A visitor appointed under this section shall report to the
19 Institute on—

20 (a) the sufficiency of the instructions given to persons attending
21 approved courses of training at the institutions visited by him ;

22 (b) the sufficiency of the examinations he witnessed ; and

23 (c) any other matter relating to the instructions or examinations on
24 which the Institute may, request him to report ;

25 but no visitor shall interfere with the giving of any instruction or the
26 holding of any examination.

1 offence punishable with imprisonment) which in the opinion of the
2 tribunal is incompatible with the status of such professional ; or

3 (b) a registered person is adjudged by the tribunal to be guilty of
4 infamous conduct in a professional respect ; or

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

7 the tribunal may give any of the directions specified in subsection (2)
8 of this section.

9 (2) The tribunal may in pursuance of subsection (1) of this section
10 give a direction—

11 (a) ordering the Registrar to strike the person's name off the
12 relevant part of the register ;

13 (b) suspending that person from practice for such period as may be
14 specified in the direction ;

15 (c) reprimanding him ;

16 (d) ordering him to pay to the Institute any costs of and incidental
17 to the proceedings incurred by the Institute ; or

18 (e) cautioning him and postponing for a period not exceeding one
19 year any further action against him on one or more conditions as to
20 his conduct during that period.

21 (3) Any direction given under subsection (2) of this section may,
22 where appropriate include provision requiring the refund of moneys
23 paid or the handing over of documents or any other thing as the case
24 may require.

25 (4) In any inquiry under this section, any finding of fact which is
26 shown to have been made in—

27 (a) criminal proceedings in a court in Nigeria ; or

1 (b) any civil proceedings in such court, shall be conclusive evidence
2 of the fact found.

3 (5) If after due inquiry, the tribunal is satisfied that during the
4 period of any postponement under paragraph (e) of subsection (2) of
5 this section a person has not complied with the conditions imposed
6 thereunder, the tribunal may impose any one or more of the penalties
7 in paragraphs (a), (b), (c), and (d) of that subsection.

8 (6) A certificate under the hand of the Chairman that any costs
9 have been ordered to be paid by a person under this section shall be
10 conclusive evidence thereof.

Restoration
of name to
register.

11 19.—(1) Where the name of a person had been removed from the
12 register in pursuance of a direction given under section 18 of this Act,
13 the tribunal may, if it thinks fit, at any time direct the restoration of his
14 name to the register :

15 Provided that an application for the restoration of a name to a
16 register shall not be made to the tribunal before the expiration of any
17 period specified in that direction.

18 (2) A person shall on restoration of his name to the register pay
19 the same fees as any person on first registration.

Removal of
entry from
register
on grounds of
fraud or
error.

20 20. If the tribunal is satisfied that any entry made in a register has
21 been fraudulently or incorrectly made, the tribunal may direct that the
22 entry be removed from the register.

Appeal to
Federal
Court of
Appeal.

23 21.—(1) Where the tribunal—

24 (a) makes a finding and imposes a penalty on a registered person
25 under section 18 of this Act ; or

26 (b) rejects an application for restoration of a name to a register
27 under section 19 of this Act ; or

1 (c) directs the removal of an entry from a register under section 20
2 of this Act,

3 the Registrar shall give the person to whom the proceedings relates
4 notice in writing thereof and such person may, within twenty-eight days
5 from the date of service on him of the notice, appeal to the Federal
6 Court of Appeal.

7 (2) On any appeal under this section the Institute shall be the
8 respondent.

9 (3) No direction for the removal of the name of a registered person
10 from a register under section 18 of this Act shall take effect until the
11 expiration of the time for appealing or if an appeal is brought, until
12 such time as the appeal is disposed of, withdrawn or struck out for
13 want of prosecution, as the case may be.

14 PART VI—MISCELLANEOUS

15 22.—(1) Any person, not registered under this Act, who holds himself Offences.
16 out to be so registered or uses any name, title, description or symbol
17 calculated to lead any person to infer that he is so registered, shall be
18 guilty of an offence and liable on conviction to a fine of ₦500 or to
19 imprisonment for six months or to both such fine and imprisonment.

20 (2) If any person for the purpose of procuring the registration of
21 any name, qualification or other matter—

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

24 (b) recklessly makes a statement which is false in a material
25 particular ;

26 he shall be guilty of an offence.

1 (3) If the Registrar or any other person employed by the Institute
2 wilfully makes any falsification in any matter relating to any register
3 maintained under this Act, he shall be guilty of an offence.

4 (4) A person guilty of an offence under subsection (2) or (3) of
5 this section shall be liable on conviction to a fine of ₹1,000 or to
6 imprisonment for 12 months or to both such fine and imprisonment.

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

Funds.

13 23. The funds of the Institute shall comprise—

14 (a) grants provided by the Government of the Federation ;

15 (b) revenue from its services; and

16 (c) such other revenue as may accrue to the Institute from any
17 other source.

Annual
estimates.

18 24. The Institute shall, not later than 30th June of each year,
19 submit to the Minister estimates of its income and expenditure for
20 the next succeeding financial year.

Annual
report.

21 25. As soon as may be after the end of each financial year the
22 Institute shall—

23 (a) submit to the Minister and each House of the National Assembly,
24 a report of its activities for the proceeding year including its audited
25 account for that year; and

26 (b) publish in the Gazette a copy of the said audited account.

1 26.—(1) The Institute shall subject to the approval of the Minister,
2 make regulations for carrying into effect any of the provisions of this
3 Act and without prejudice to the generality of the foregoing provisions,
4 the Institute may make regulations—

5 (a) to regulate the forms of application for registration and providing
6 for the evidence to be produced in support of such application ;

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

10 (c) to authorize a registered person to have, in addition to or
11 in substitution for, his registered qualification, any qualification
12 approved or accepted under section 10 of this Act ; and

13 (d) to specify the fees to be paid to the Institute in respect of the
14 entry of names in the register and authorize the Registrar to refuse to
15 enter a name in the register until any fee specified for entry has been
16 paid.

17 (2) Regulations made by the Institute shall have effect from the date
18 on which they are published in the Gazette or such later date as the
19 regulations may prescribe.

20 27. In this Act—

Interpre-
tation.

21 “accepted qualification” means a degree, diploma or other certificate
22 prescribed under the Third Schedule to this Act ;

23 “approved institution” means institution approved under section 13
24 of this Act ;

25 “Chairman” means Chairman of the Council ;

26 “Council” means Council established under section 2 of this Act ;

27 “Gazette” means *Official Gazette* of the Federation ;

1 "Institute" means Institute of Dental Technologists established
2 under section 1 of this Act ;

3 "Minister" means the Minister charged with responsibility for
4 matters relating to health ;

5 "panel" means Institute of Dental Technologists Investigating Panel
6 established under section 15 of this Act ;

7 "profession" means profession of dental technology ;

8 "register" means register maintained under section 8 of this Act ;

9 "Registrar" means registrar appointed under section 4 of this Act ;

10 "registration certificate" means certificate issued under section 10
11 of this Act ;

12 "tribunal" means Institute of Dental Technologists Disciplinary
13 Tribunal established under section 16 of this Act.

Short title.

14 28. This Act may be cited as the Institute of Dental Technologists
15 Act 1983.

SCHEDULES

FIRST SCHEDULE

Section 2 (3)

PROVISIONS RELATING TO THE COUNCIL

Standing
orders.

1. The Council may make standing orders to regulate its own proceedings.

Presiding
at meetings.

2. At any meeting of the Council the Chairman shall preside and in his absence the members present shall appoint one of their number to preside at that meeting.

Quorum.

3. The quorum at any meeting of the Council shall be ten members.

Validity
of
proceedings.

4. The proceedings of the Council shall not be affected by any vacancy in its membership or defect in the appointment of a member or by reason that a person who is not a member has taken part in such proceedings.

5.—(1) Where the Council is desirous to obtain the advice of any person on any particular matter the Council may co-opt that person as member of the Council for such meeting or meetings as the Council may decide.

Co-option.

(2) The person so co-opted shall have all the privileges of a member except that he shall not be entitled to vote at any meeting of the Council or count towards the quorum.

6.—(1) The fixing of the seal of the Institute shall be authenticated by the signature of the Chairman or the Registrar or any member authorised in that behalf by the Council.

Authentification of instruments.

(2) Any instrument or contract which if made or executed by an individual need not be under seal, may be made or executed on behalf of the Council by any person generally or specifically authorized in that behalf by the Council.

(3) Any document purported to be a document executed under seal of the Institute shall be received in evidence and shall unless the contrary is proved be presumed to be so executed.

SECOND SCHEDULE

Section 17

PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND
THE INVESTIGATING PANEL*The Tribunal*

1.—(1) The Chief Justice of the Federation shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceedings before the tribunal.

Rules.

(2) The rules shall in particular provide—

(a) for securing that notice of proceedings shall be given at such time, and in such manner as may be specified by the rules, 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 party to the proceedings shall, if he so requires be entitled to be heard by the tribunal ;

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

(e) subject to the provisions of section 18 (d) of this Act, as to the costs of proceedings before the tribunal ;

(f) for requiring the tribunal, where an allegation of infamous conduct in any professional respect, has not been proved, to record a finding that the person is not guilty of such conduct in respect of the matter to which the allegation relates ; and

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

Assessor.

2.—(1) The Council shall appoint a legal practitioner of not less than seven years standing to be an assessor in all proceedings before the tribunal.

(2) The Chief Justice of the Federation shall make rules as to the functions of assessors appointed under this paragraph, and in particular such rules shall provide—

(a) that, where an assessor advises the tribunal on any question of law arising in a proceeding, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat ; and

(b) that every such party or person as aforesaid shall be informed in any case where the 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 in accordance with the terms of the instrument by which he is appointed.

Quorum.

3. The quorum at any meeting of the tribunal shall be three members.

Presiding at meetings.

4. At any meeting of the tribunal the Chairman shall preside and in his absence the members present shall appoint one of their number to preside at that meeting.

Determination by majority.

5. Any question proposed for decision by the tribunal shall be determined by the majority of the members present and voting at a meeting of the tribunal at which a quorum is present.

Voting.

6. At all meetings of the tribunal each member present shall have one vote on a question proposed for decision by the tribunal and, in the event of an equality of votes, the Chairman shall, in addition to a deliberative vote, have a casting vote.

Receiving evidence and calling witnesses.

7. For the purposes of any inquiry the tribunal may hear and receive evidence and may, under the hand of the Chairman or Registrar summon witnesses and require the production of any book, record, document or thing and may through the Registrar administer an oath to any witness.

The Panel

Quorum.

8. The quorum of the panel shall be three members.

Standing orders.

9. The panel may, at any of its meeting attended by not less than four members of the panel, make standing orders to regulate its own proceedings

Miscellaneous

Eligibility for appointment.

10.—(1) A person ceasing to be a member of the tribunal or the panel shall be eligible for appointment as a member of that body.

(2) A person may not at the same time be a member of both the tribunal and the panel.

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|---|--------------------------|
| 11. The proceedings of the tribunal or panel shall not be affected by any vacancy in its membership or defect in the appointment of a member or by reason that a person who is not a member has taken part in such proceedings. | Validity of proceedings. |
| 12. The tribunal and the panel may each sit in two or more places. | Sittings. |
| 13. Any document authorised or required by virtue of this Act to be served on the tribunal or the panel shall be served on the Registrar. | Service of document. |
| 14. Any expenses of the tribunal or the panel shall be defrayed by the Institute. | Expenses. |

THIRD SCHEDULE

Section 10 (1)

**ACCEPTED MINIMUM QUALIFICATIONS FOR THE PURPOSE OF
REGISTRATION ON THE REGISTER ESTABLISHED UNDER THIS ACT**

Dental Technology

- (1) Licentiate Diploma of the British Institute of Surgical Technologists in Dental Technology.
- (2) B.Sc., or Higher National Diploma in Dental Technology or an equivalent qualification.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a professional body for dental technologists, to maintain a register, approve courses of study, prescribe qualifications and control the discipline of members of the profession.