Unrestricted

STATE HOUSE
ABUJA,
NIGERIA.

Reference:

PRES/134-2/CLK/211

19th May, 2023

The Clerk,
National Assembly,
National Assembly Complex,
Three Arms Zone,
Abuja.

RE: INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA BILL, 2023

Further to your letter NASS/CNA/37/VOL. I/252 dated 11th April, 2023 forwarding authenticated copies of the above mentioned Bill for Mr. President's consideration and assent, I hereby return two (2) copies duly conveying Mr. President's assent and seal of the Federal Republic of Nigeria.

2. Please accept the assurances of my highest consideration.

Prof. Ibrahim A. Gambari
Chief of Staff to the President

Copy to

Internal Copy:

- COS – President
- PS - State House

External Copy:

- Attorney-General of the Federation
- SGF

INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA ACT, 2023

EXPLANATORY MEMORANDUM

The Act establishes the Institute of Strategic Management of Nigeria charged with the duty, amongst others, of determining what standards of knowledge and skill to be attained by persons seeking to become members of the Institute.

INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA ACT, 2023

Arrangement of Sections

Section:

PART I — ESTABLISHMENT OF THE INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA

1. Establishment of the Institute of Strategic Management of Nigeria

PART II — ELECTION OR APPOINTMENT OF THE PRESIDENT, 1ST AND 2ND VICE-PRESIDENT AND THE NATIONAL EXECUTIVE COUNCIL OF THE INSTITUTE

2. Election or appointment of the President, 1st and 2nd Vice-President and the National Executive Council of the Institute

PART III – ESTABLISHMENT OF THE GOVERNING BOARD OF THE INSTITUTE

3. Establishment of the Governing Board of the Institute
4. Establishment of the Board of Fellows and the appointment of Patrons or Matrons
5. Establishment of State Chapters and Districts of the Institute

PART IV — APPOINTMENT OF THE REGISTRAR AND OTHER OFFICERS OF THE INSTITUTE

6. The Registrar, and officers of the Institute
7. Publication of the register and list of evidential value
8. Registration of training and development practitioners
9. Approval of qualification
10. Supervision, instruction and examination leading to approval

PART V — FINANCIAL PROVISIONS

11. Fund of the Institute

PART VI — PROFESSIONAL DISCIPLINE

12. Establishment of the Disciplinary Tribunal and the Investigating Panel
13. Penalties for professional misconduct

PART VII — GENERAL PROVISIONS

14. General provisions
15. Persons deemed to practice
16. Regulations and rules
17. Honorary membership
18. Transfer to the Institute of certain properties
19. Offences relating to identity
20. Interpretation
21. Citation

Schedules

INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA ACT, 2023

A Bill

For

An Act to establish the Institute of Strategic Management of Nigeria charged with the responsibility, amongst others, to regulate and determine the standards of knowledge, skills and qualifications of persons seeking to become professional strategic managers in Nigeria; and for related matters.

[ ] Commencement

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

ART I — ESTABLISHMENT OF THE INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA

. (1) There is established the Institute of Strategic Management of Nigeria (in this Act referred to as "the Institute"). Establishment of the Institute of Strategic Management of Nigeria

(2) The Institute—

(a) shall be a body corporate with perpetual succession and a common seal (to be kept in such custody as the Council may direct);

(b) may sue and be sued in its corporate name; and

(c) may, subject to the Land Use Act, acquire, hold and dispose of any property; movable or immoveable. Cap. L5, LFN, 2004

(3) The Institute shall have the general duty of —

(a) determining the skill and knowledge to be attained by any person seeking to become professional strategic managers and raising those standards as determined by circumstances;

(b) securing in accordance with the provisions of this Act, the establishment and maintenance of a register of members of the Institute and publication of persons contained in it;

(c) organising and conducting professional examinations for intending professional strategic management practitioners in Nigeria;

(d) maintaining and upholding the ethics of professional strategic management practice;

(e) regulating professional strategic management practice in Nigeria;

(f) collaborating with other reputable examination bodies and or educational institutions; and

(g) bringing together all professional strategic management practitioners in Nigeria.

(4) Subject to the provisions of this Act, members admitted into the Institute shall be enrolled in the following membership categories —

(a) Fellow — FSM;

(b) Full — MSM;

(c) Associate — ASM; and

(d) Student.

(5) A person accorded any of the status in subsection (4) by the Institute under this Act, shall be entitled to the use of the appropriate designatory letters as approved by the Council.

(6) Persons registered under this Act shall be enrolled as a —

(a) Fellow — (FSM) if —

(i) he is a founding member of the Institute with sound academic and relevant professional qualification and experiences,

(ii) he is a university graduate, academician or non-academician, whose advisory roles on economic matters and management position in the public or private sectors had contributed tremendously to the nation's economic growth and development,

(iii) they are individuals in relevant and related disciplines who have offered development services of special nature to the nation or who have noticeably worked relentlessly and dynamically to enhance the professional image of the Institute directly or indirectly; and

(iv) they are holders of the Full membership of the Institute with at least 10 years practical experience;

(b) Full — (MSM) if —

(i) adjudged as having the requisite academics qualification and experience by the Council,

(ii) is a holder of the Institute's Associate Membership with at least four years practical experience subsequent to his Associate Membership enlistment, and

(iii) possesses other relevant qualifications acceptable and considered suitable and relevant by the Council;

(c) Associate — (ASM) if he is a candidate who have satisfactorily passed all required and or mandated Institute's professional examinations as approved by the Council; or

(d) Student Membership, if he —

(i) is anyone who possesses a West African School Certificate (WASC) with five credits including economics, mathematics and English language,

(ii) possesses the National Examination Council Certificate (NECO) as in subparagraph (i),

(iii) possesses the Ordinary National Diploma of Nigeria or overseas accredited polytechnic in any field,

(iv) possesses the Higher National Diploma from an accredited polytechnic as in subparagraph (iii),

(v) possesses a First, Second or Third Degree of Nigeria or overseas accredited university,

(vi) possesses National Certificate of Education (NCE), or

(vii) possesses any other professional certificate or diploma recognised by the Council.

PART II — ELECTION OR APPOINTMENT OF THE PRESIDENT, 1ST AND 2ND VICE-PRESIDENT AND THE NATIONAL EXECUTIVE COUNCIL OF THE INSTITUTE

Election or appointment of the President, 1st and 2nd Vice-President and the National Executive

2. (1) There is established the National Executive Council of the Institute (in this Act referred to as "the Council") which shall comprise of five elected and 23 non-elected members to be headed by the President, who shall report directly to the Governing Board.

Council of the Institute

(2) There shall be a National President of the Institute who shall be a professional strategic management practitioner, a Fellow of the Institute and shall be up to date in his financial obligations to the Institute and shall be Chairman of the Council.

(3) There shall be the 1st Vice-President of the Institute who shall be a professional strategic management practitioner, a Fellow of the Institute and shall be up to date in his financial obligations to the Institute and shall be a member of the Council.

(4) There shall be a 2nd Vice-President of the Institute who shall be a professional strategic management practitioner, a Fellow of the Institute and shall be up to date in his financial obligations to the Institute and shall be a member of the Council.

(5) The President, 1st and 2nd Vice-Presidents, the National Legal Adviser and the National Treasurer shall be elected at the annual general meeting of the Institute.

(6) The other 11 *ex-officio* members comprising the founding President, the two immediate past Presidents, the Zonal Chairmen representing the six zones, the Chairman Strategic Synergy Group and the Chairman of the Board of Fellows shall be elected or appointed at the annual general meeting of the Institute.

(7) The 12 non-elective members shall be comprise of —

(a) the Registrar and chief executive officer of the Institute whose position shall not be less than a director;

(b) one representative each from the —

(i) Federal Ministry responsible for education,

(ii) Federal Ministry responsible for national planning,

(iii) Federal Ministry responsible for youth development,

(iv) National Universities Commission,

(v) National Youth Services Corps (NYSC), and

(vi) National Board of Technical Education (NBTE), and NIPSS, CBN,

(c) co-opted members up to a maximum of five.

(8) The President, 1st Vice-President and 2nd Vice-President shall hold office for a term of four years in the first instance from the date of election and shall not be eligible for re-election.

(9) The President shall be the Chairman of the National Executive Council and shall direct the meetings and affairs of the Council in consultation with other Council members and the Governing Board of the Institute.

(10) In the absence of the President, the 1st Vice-President or the 2nd Vice-President as the case may be, shall stand in for him to perform the functions of his office.

(11) In the case of death or permanent incapacitation of the President or any of the Vice-Presidents, the Governing Board shall appoint a fit and proper person for replacement for the remainder of their term.

ART III — ESTABLISHMENT OF THE GOVERNING BOARD OF THE INSTITUTE

Establishment of the Governing Board of the Institute

. (1) There is established the Governing Board of the Institute.

(2) The Governing Board shall comprise of 11 members, out of which not less than three and not more than five shall be permanent members and founders of the Institute.

(3) The Governing Board shall appoint the Chairman from amongst themselves whose tenure of office shall be two years, renewable for another term of two years and no more.

(4) The tenure of office for non-permanent members of the Governing Board shall be for a single term of two years and no more.

(5) The Governing Board shall have the power of general control, subject to the provisions of this Act, over the Institute.

(6) The Governing Board, may, upon the recommendation of the Board of Fellows appoint as Patrons or Matrons to the Institute, men and women of integrity and clout in the society whose roles shall be advisory, conflict resolution and resource mobilisation for the Institute.

(7) The provisions set out in the First Schedule to this Act shall have effect with respect to the operation, qualification, tenure of office of the Council and other matters mentioned in the Schedule

First Schedule

Establishment of the Board of Fellows and the appointment of Patrons or Matrons

1. (1) There is established a Board of Fellows for the Institute which shall consist of all Fellows of the Institute.

(2) The Board of Fellows shall act as the Parliament of the Institute and also as an advisory body to the Council.

(3) The Board of Fellows shall be the organ to recommend to the Governing Board those to be conferred with the Fellowship of the Institute.

(4) The Body of Fellows shall recommend to the Governing Board, deserving members of the public who have distinguished themselves in the various calling to be appointed and inducted as Patrons or Matrons of the Institute and the functions of the body of Patrons and Matrons shall be advisory to the Governing Board and Council of the Institute.

Establishment of State Chapters and Districts of the Institute

. (1) There shall be established in every State or major city in Nigeria, a Chapter of the Institute whenever it appears to the Governing Board that a good number of members of the Institute reside in that State.

(2) Every such Chapter shall elect its own officials in a democratic manner and in accordance with the provisions of this constitution, provided that no elected Chapter official shall exceed a cumulative tenure of four consecutive years in the same office from the date of his first election.

(3) The activities of the Chapter shall complement those of the national body and not contradict or conflict with the main objectives of the Institute as provided by this Act.

(4) The National Secretariat of the Institute shall streamline and approve the activities and finances of the Chapters to avoid any conflict between the national body and State Chapters or between the Chapters interse.

(5) Where a Chapter becomes so large and extensive in number and local, there may be established Districts within the Chapter.

(6) The activities of the Districts shall be subject to the approval of the Chapter and every activity of the District must receive the approval of its Chapter before implementation.

(7) Every District shall elect its own officials in a democratic manner and in accordance with the provisions of this Act, provided that no elected District official shall exceed a cumulative of four consecutive years in the same office from the date of his first election.

PART IV — APPOINTMENT OF THE REGISTRAR AND OTHER OFFICERS OF THE INSTITUTE

The Registrar, and officers of the Institute

6. (1) The Council shall appoint a fit and proper person to be the Registrar for the purpose of this Act, and such other persons as the Institute may deem necessary to appoint.

(2) The tenure of the Registrar shall be for four years renewable for another four years and no more.

(3) The Registrar shall be a member with the status of Fellow or Full membership or a person with the requisite qualification and experience to be inducted to the status of Fellow or Full membership of the Institute.

(4) The Registrar shall be the Secretary to the Council and the chief executive officer of the Institute.

(5) The Registrar shall prepare and maintain, in accordance with the rules made by the Council, a register of the names, addresses, approved qualifications and other relevant particulars, as may be specified in the rules, of the persons who are entitled to be enrolled as Fellows, Full, Associates, and Students or registered as professional strategic management practitioners who apply to be so registered in accordance with this Act.

(6) The register shall consist of four parts of which the —

(a) first part shall be in respect of Fellows;

(b) second part shall be in respect of Full;

(c) third part shall be in respect of Associates; and

(d) fourth part shall be in respect of Students.

(7) Subject to the provisions of this section, the Council may make rules with respect to the form and keeping of the register and the making of the entries in it, and in particular —

(a) regulate the making of applications for enrolment, registration as the case may be, and providing for the particulars to be produced in support of applications;

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

(c) authorise an enrolled or registered person to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or any accepted qualification for the purposes of this Act, registered in relation to his name in addition to, or as he may elect, in substitution for any other qualifications so registered;

(d) specify the fees, including any annual subscription to be paid to the Institute in respect of the entry of names on the register;

(e) authorise the Registrar to refuse to enter a name on the register until any fee specified for the entry has been fully paid; and

(f) specify anything failing to be specified under the provision of this section.

(8) Rules made for the purposes of subsection 7 (e) shall not come into effect until confirmed at a special meeting of the Council or at the next annual general meeting of the Institute, as the case may be.

(9) The Registrar shall —

(a) 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 was incorrectly made;

(b) make any necessary alteration in the particulars of the registered persons; and

(c) record the names of members of the Institute who are in default for more than one year in the payment of the annual subscriptions and to take such action in relation to it, including removal of the names of such persons from the register, as the Council under this Act may direct or require.

(10) Where the Registrar —

(a) sends by post to any registered person a registered letter addressed to that person at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within a period of three months from the date of posting or a period to be determined by Council having regards to the circumstances, and

(b) upon the expiration of the period sends in the like manner to the person in question a second similar letter and receives no reply to that letter within one month from the date of posting or a period to be determined by Council having regards to the circumstances,

the Registrar may remove the particulars relating to the person from the register and the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed under this subsection.

(11) The Registrar may be removed from office if —

(a) a case of gross misconduct is established against him and confirmed by the Governing Board; or

(b) a vote of no confidence is passed on him by the Board of Fellows, provided that the vote of no confidence is presented at the Institute annual general meeting and is supported by a simple majority of members present after a debate and a vote taken.

Publication of the register and list of evidential value

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Registration of training and development practitioners

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(3) The activities of the Chapter shall complement those of the national body and not contradict or conflict with the main objectives of the Institute as provided by this Act.

(4) The National Secretariat of the Institute shall streamline and approve the activities and finances of the Chapters to avoid any conflict between the national body and State Chapters or between the Chapters interse.

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(7) Every District shall elect its own officials in a democratic manner and in accordance with the provisions of this Act, provided that no elected District official shall exceed a cumulative of four consecutive years in the same office from the date of his first election.

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(2) The tenure of the Registrar shall be for four years renewable for another four years and no more.

(3) The Registrar shall be a member with the status of Fellow or Full membership or a person with the requisite qualification and experience to be inducted to the status of Fellow or Full membership of the Institute.

(4) The Registrar shall be the Secretary to the Council and the chief executive officer of the Institute.

(5) The Registrar shall prepare and maintain, in accordance with the rules made by the Council, a register of the names, addresses, approved qualifications and other relevant particulars, as may be specified in the rules, of the persons who are entitled to be enrolled as Fellows, Full, Associates, and Students or registered as professional strategic management practitioners who apply to be so registered in accordance with this Act.

(6) The register shall consist of four parts of which the —

(a) first part shall be in respect of Fellows;

(b) second part shall be in respect of Full;

(c) third part shall be in respect of Associates; and

(d) fourth part shall be in respect of Students.

(7) Subject to the provisions of this section, the Council may make rules with respect to the form and keeping of the register and the making of the entries in it, and in particular —

(a) regulate the making of applications for enrolment, registration as the case may be, and providing for the particulars to be produced in support of applications;

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

(c) authorise an enrolled or registered person to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or any accepted qualification for the purposes of this Act, registered in relation to his name in addition to, or as he may elect, in substitution for any other qualifications so registered;

(d) specify the fees, including any annual subscription to be paid to the Institute in respect of the entry of names on the register;

(e) authorise the Registrar to refuse to enter a name on the register until any fee specified for the entry has been fully paid; and

(f) specify anything failing to be specified under the provision of this section.

(8) Rules made for the purposes of subsection 7 (e) shall not come into effect until confirmed at a special meeting of the Council or at the next annual general meeting of the Institute, as the case may be.

(9) The Registrar shall —

(a) 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 was incorrectly made;

(b) make any necessary alteration in the particulars of the registered persons; and

(c) record the names of members of the Institute who are in default for more than one year in the payment of the annual subscriptions and to take such action in relation to it, including removal of the names of such persons from the register, as the Council under this Act may direct or require.

(10) Where the Registrar —

(a) sends by post to any registered person a registered letter addressed to that person at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within a period of three months from the date of posting or a period to be determined by Council having regards to the circumstances, and

(b) upon the expiration of the period sends in the like manner to the person in question a second similar letter and receives no reply to that letter within one month from the date of posting or a period to be determined by Council having regards to the circumstances,

the Registrar may remove the particulars relating to the person from the register and the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed under this subsection.

(11) The Registrar may be removed from office if —

(a) a case of gross misconduct is established against him and confirmed by the Governing Board; or

(b) a vote of no confidence is passed on him by the Board of Fellows, provided that the vote of no confidence is presented at the Institute annual general meeting and is supported by a simple majority of members present after a debate and a vote taken.

Publication of the register and list of evidential value

(1) The Registrar shall —

(a) cause the register to be printed, published, and put on sale to members of the public not later than 12 months from the commencement of this Act;

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

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

(2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar or document purporting to be prints of an edition of the register so published and of a list of corrections to the last edition so published, shall, without prejudice to any other mode of proof, be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered, was so registered at the date or the edition or the last corrections, as the case may be and that any person not so specified was not so registered.

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

Registration of training and development practitioners

3. (1) Subject to section 1 (6) of this Act and rules made under it, a person shall be entitled to be enrolled or registered as a member of the Institute if he —

(a) possesses the relevant qualifications as may be approved by the Council and is successful in all the prescribed examination;

(b) qualifies for enrolment as a member in any of the categories specified in this Act; or

(c) holds a qualification granted outside Nigeria for the time being accepted by the Institute and satisfy the Council that he has had sufficient practical experience as a Professional Strategic management Practitioner.

(2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that he —

(a) is of a good character and high integrity;

(b) has consistently been in practice as a professional strategic management practitioner for a minimum of two years; and

(c) has not been convicted in Nigeria or elsewhere of an offence involving fraud, dishonesty or gross misconduct.

(3) The Council may publish particulars of qualifications criteria for the time being accepted by it for registration.

(4) The Council may in its discretion reject a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.

(5) Any entry directed to be made in the register under subsection (4) shall show that registration is provisional and no entry so made shall be converted to full registration without the consent of the Council in writing in that behalf.

(6) A member who passed the Institute's final examination or has attained Associate grade of the Institute shall with effect from the date of coming into effect of this Institute, and in accordance with his relevant special career path continue to progress to Grade Level 17 or 15 as may be applicable to him or peculiar by the circumstances of the existing Conditions of Service in the services of the Federal or State Governments' MDAs as appropriate.

). (1) The Council may approve any institution for the purposes of this Act and may for those purposes, approve — Approval of qualification

(a) any course of training at an approved institution which is intended for persons who, are seeking to become or are already members of the Institute and which the Council considers is designed to confer on persons completing it, sufficient knowledge and skill for admission to the Institute; and

(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 candidate has sufficient knowledge and skill to practice as a professional strategic management practitioner.

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

(a) give notice that it proposes to withdraw such approval to each person in Nigeria appearing to the Council to be a person 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 representations with regards to the proposal; and

(c) take into consideration any representation made as respect of the proposal under paragraph (b).

(3) With regards to any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section but the withdrawal of such approval shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration, either unconditionally or subject to his obtaining a certificate or experience, immediately before approval was withdrawn.

(4) The giving or withdrawal of an approval under this section shall have effect from such date of the execution of the instrument and the Council shall —

(a) publish, as soon as possible, a copy of every such instrument in the Federal Government Gazette; and

(b) not later than seven days before its publication, send a copy of the instrument to the Minister responsible for education.

Supervision, instruction and examination leading to approval

10. (1) The members of the Council shall keep themselves informed of the nature of —

(a) the instruction given at approved institutions to persons attending approved courses of training, and

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

and for the purposes of performing that duty, the Council may appoint a Committee, either from among its own members or otherwise, to visit approved institutions or to attend such examinations.

(2) The Committee appointed under subsection (1) shall report to the Council on —

(a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by it;

(b) the adequacy of the examinations attended by it; and

(c) any matters relating to the institutions or examinations which the Council may, either generally or in a particular case, request it to report:

Provided always that no member of the Committee shall interfere with the giving of any instruction or holding of any examination.

(3) On receipt of a report made under this section, the Council may, if it deems fit, and shall, if so, required by the Institute, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observations on the report to the Council within such period as may be specified in the request, not less than one month from the date of the request.

ART V — FINANCIAL PROVISIONS

Fund of the Institute

1. (1) The Institute shall establish and maintain a Fund, the management and control of which shall vest in the Council, and into which shall be paid —

(a) all money received by the Council under this Act, including fees, levies, grants, investitures, donations and honorariums; and

(b) such money as may be provided by donors, benefactors or other external sources.

(2) There shall be paid out of the Fund of the Institute —

(a) all reasonable expenditures incurred by the Council in the performance of its functions under this Act; and

(b) the remuneration, allowances of the Registrar and other staffs of the Institute.

(3) The Council may invest its fund in any security such as treasury bills, shares or any other security in Nigeria approved by it.

(4) The Council may borrow money for the purposes of the Institute and any interest payable on such money borrowed shall be paid out of the Fund.

(5) The Council shall keep proper accounts on behalf of the Institute in respect of each financial year, and shall cause the account to be audited by a qualified and licensed auditor appointed by it.

(6) The auditor appointed for the purpose of this section shall not be a member of the Council.

(7) The authorised signatories to the accounts shall be the President, the Registrar and the National Treasurer and the appropriate signatory combinations for particular transactions shall be as prescribed by the Council.

(8) No transaction in excess of N2,000,000 shall be entered into by the Institute without recourse to the Governing Board.

(9) The Institute shall have a dedicated account out of which the following needs of the Institute shall be satisfied —

(a) infrastructure development — 20%;

(b) chapter development — 5%;

(c) knowledge or academic development — 30%;

(d) provision for growth — 15%;

(e) investments — 10%;

(f) grants to public education or research institutions — 10%; and

(g) others — 10%.

PART VI – PROFESSIONAL DISCIPLINE

Establishment of the Disciplinary Tribunal and the Investigating Panel

12. (1) There is established the Institute of Strategic Management of Nigeria Disciplinary Tribunal (in this Act referred to as "the Tribunal") charged with the responsibility of considering and determining all cases referred to it by the Investigating Panel established under subsection (3).

(2) The Tribunal shall consist of the Chairman of the Council and six other members of the Institute appointed by the Council.

(3) There is established the Institute of Strategic Management of Nigeria Investigating Panel (in this Act referred to as "the Panel") charged with the duty of —

(a) conducting preliminary investigation into any matter or complaint where it is alleged that a member has misbehaved or compromised the ethics of the profession in his capacity as a member of the Institute or should, for any reason, be the subject of proceedings before the Tribunal; and

(b) deciding whether the matter or complaint shall be referred to the Tribunal.

(4) The Panel shall be appointed by the Council and shall consist of two members of the Council and five duly registered members of the Institute who are not members of the Council.

(5) The provisions of the Third Schedule to this Act shall, so far as applicable to the Tribunal and the Panel respectively, have effect with respect to those bodies. Third Schedule

(6) The Council may make rules consistent with this Act as to acts which constitute professional misconduct.

Penalties for professional misconduct

5. (1) Where —

(a) a member is adjudged by the Tribunal to be guilty of infamous conduct in any professional respect,

(b) a member is convicted, by any Court of competent jurisdiction in Nigeria or elsewhere for an offence, whether or not punishable with imprisonment, which in the opinion of the Tribunal is incompatible with the status of a member of the Institute, or

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

the Tribunal may, if it deems fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the register;

(2) The Tribunal may, if it deems fit, defer or further defer its decision as to the giving of a direction under subsection (1) until its subsequent meeting but —

(a) a decision shall not be deferred under this subsection for periods exceeding two years in the aggregates; and

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

(3) For the purposes of subsection (1) (b), a person shall not be treated as convicted pending the final determination of an appeal if any against the conviction.

(4) When the Tribunal gives a direction under subsection (1), it shall cause notice of the direction to be served on the person affected.

(5) The person affected may, at any time within 90 days of service on him of notice of direction appeal to the Tribunal which may review its decision.

(6) A person whose name is removed from the register on the direction of the Tribunal under subsection (1) (c) shall not be entitled to be registered again, except under a direction in that behalf given by the Tribunal on the application of that person to the Council, and, a direction under this section for the removal of a person's name from

the register may prohibit an application under this section by that person until the expiration of such period when the date of the direction (and where he has duly made such an application, on the date of his last application) as may be specified in the direction.

ART VII — GENERAL PROVISIONS

General provisions

4. At the commencement of this Act any person not a member of the Institute who, but for this Act, would have been qualified to apply for and obtain membership of the profession may within the period of six months beginning with the date of the commencement of this Act apply for membership of the Institute in such manner as may be prescribed by rules made by the Council and if approved, he shall be inducted or registered, as the case may be, according to his qualifications and having undergone the specified training.

Persons deemed to practice

5. A person is deemed to be a professional strategic management practitioner if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any other person, he —

(a) engages himself in the practice of professional strategic management or holds himself out to the public as a professional strategic management practitioner;

(b) renders professional service or assistance in or about matters of principle or detail relating to strategic management or data; or

(c) renders any other service which may by regulations made by the Council designated as service constituting practice as professional strategic management practitioner.

Regulations and rules

16. (1) The Council may make rules for —

(a) training of suitable persons in strategic management;

(b) certification of people to be employed in strategic management positions or capacity;

(c) fees to be paid by professional strategic management practitioners; and

(d) restrictions on the right to practice when all prescribed conditions have not been met.

(2) The Council may also make rules prescribing the amount and due date for payment of the annual subscription and for such purpose different amounts may be prescribed by the rules according as to whether the member of the Institute is a Fellow, Full member, an Associate, or a registered Student.

(3) Rules when made shall, if the Chairman of the Council so directs, be published in the print media.

. The Council shall be free to award honorary membership of the Institute to persons whom it considers worthy of such honour, on terms and conditions prescribed by the Governing Board and approved by the Institute at the annual general meeting. Honorary membership

3. (1) On the commencement of this Act, all property held immediately before that day by or on behalf of the Institute shall, by virtue of this subsection, vest in the Institute and be held by it for the purposes of the Institute. Transfer to the Institute of certain properties

(2) The transitional provision as to property shall be as set out in the Second Schedule to this Act. Second Schedule

9. (1) If any person for the purpose of procuring the registration of any qualification or other matter — Offences relating to identity

(a) makes a statement which he believes to be false in a material particular, or

(b) recklessly makes a statement which is false in a material particular,

that person is guilty of an offence.

(2) Where, on or after the commencement of this Act, any person not a member of the Institute practices as a registered member of the profession of strategic management for or in expectation of reward, or take or uses any name, title, addition or description implying that he is in practice as a registered member of the profession of strategic management, he is guilty of an offence:

Provided that in the case of a person falling within section 14 of this Act, this subsection shall not apply in respect of anything done by him during the period of three months mentioned in that section.

Interpretation

20. In this Act —

"committee" has the meaning assigned to it by section 10 of this Act;

"Council" means the National Executive Council of the Institute established under section 2 of this Act;

"fees" include annual subscriptions;

"Governing Board" means the Governing Board established in Section 3 of this Act;

"inducted" in relation to a Fellow, a Full member, an Associate member, means registered in the part of the register as Fellow member, Full member, and Associate member or as the case may be;

"Institute" means the Institute of Strategic Management, Nigeria established under section 1 of this Act;

"member" means the member of the Institute;

"President" and "Vice-Presidents" mean respectively the office holders under those names in the Institute;

"register" means the register maintained under section 6 of this Act;

"Registrar" means the Registrar of the Institute of Strategic Management of Nigeria appointed under section 6 (1) of this Act;

"Tribunal" has the meaning assigned to it by section 12 of this Act; and

"Panel" has the meaning assigned to it by section 12 of this Act.

21. This Act may be cited as the Institute of Strategic Management of Nigeria Act, 2023. Citation.

SCHEDULES

First Schedule Section 3(7)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualification and Tenure of Office of Member

(1) Subject to the provisions of this paragraph every elected member of Council shall hold office for four years and no more.

(2) Any member of the Institute who ceases to be a member shall, if he is also a member of the Council, cease to hold office on the Council.

(3) Any elected member may by notice in writing under his hand addressed to the President resign his office, and any appointed member may resign his office.

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

(5) Members of the Council shall at its meeting next before the annual general conference of the Institute arrange for the five members of the Council elected and longest in office to retire at that annual general meeting.

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

(7) If for any reason there is a vacation of office by a member and such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit person for such time.

(8) The appointment of members of the Council shall be effected in the manner prescribed, at least —

(a) eight weeks before each annual general meeting of the Institute, the Council may nominate for election to the Council, such candidates (if any) as it shall deems fit, who are willing to serve if elected, provided that the number of candidates so nominated shall not exceed 50% of those retiring;

(b) seven weeks before each annual general meeting of the Institute, and the Secretary shall issue to all professional members a notice which shall

(i) specify the names of elected Council members whose terms of office will expire at the close of the next annual general meeting,

(ii) specify any other vacancy in the membership of the Council which may be filled by elected members,

(iii) specify the names of any candidate nominated by Council for election to the Council, and

(iv) invite nominations of other candidates on the prescribed nomination form;

(c) candidates for election to Council, other than candidates nominated by the Council, shall be nominated in the following manner —

(i) not less than five weeks before each annual general meeting, nomination forms, including details of all particulars required to be given, shall be duly completed in the manner set out below and shall be sent to the, secretariat of the Institute, and

(ii) each nomination forms shall relate to one candidate only and shall contain his class and grade of membership in the Institute, his full time managerial or other appointment (if any) or, if retired, such appointment immediately before retirement and his date of retirement; and such other particulars as such prescribed by the Council;

(d) each candidate shall be sponsored by two persons who shall be members of the Institute entitled to vote and each nomination form shall contain, in addition to the particulars referred to in paragraph (c) a statement of the names, address, class and grade of membership of each of the sponsors and votes shall be taken by secret ballot at the annual general meeting; and

(e) may at any time establish a branch of the Institute in any locality within the country.

(9) The Council shall have power to make, alter and repeal any bye-laws as they may deem necessary.

Powers of the Council

2. (1) The Council shall have power to do anything, which in its opinion is calculated to facilitate the carrying on of the activities of the Institute and in particulars —

(a) shall exercise all such powers of the Institute and do on behalf of the Institute all such act as may be exercised and done by the Institute and as are not those presents required to be exercised or done by the Institute in the general meeting, and subject to such bye-laws or provisions, as may be prescribed by the Institute in the general meeting, but no bye-law made by the Institute in general meeting shall invalidate any prior act of the Council which would have been valid if such bye-law had not been made;

(b) shall exercise all the powers of the Institute to borrow money, within Nigeria or overseas, subject to the banking laws of the country and to mortgage or charge its undertaking and property or any part and to issue debentures, debenture stocks, and other securities whether outright or as security for any debt, liability or obligation of the Institute;

(c) shall set up as soon as practicable after the annual general meeting, an executive committee of the Council and shall meet regularly and carry out the normal business of Council between the regular meetings of Council; and

(d) may at any time establish a branch of the Institute in any locality within the country.

(2) The Council shall have power to make, alter and repeal any bye-law in consultation with the Board for the proper conduct and management of the Institute.

(3) The Council shall adopt such means as it shall deem sufficient to bring to the notice of the Institute and all its members bye-laws, alterations and repeals made under the powers conferred by this Act and no bye-laws shall be inconsistent with or shall affect or repeal anything contained in this Act or constitute such an amendment or of addition to this Act, and any bye-law that is inconsistent with the provisions of the Act that bye-law shall be void to the extent of that inconsistency.

Proceedings of the Council

3. (1) Subject to the provisions of this Act the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute or of the Council, and in the exercise of its powers under this Act, may set up committees in the general interest of the Institute.

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

(3) 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.

4) The quorum of the Council shall be five, and the quorum of a committee of the Council shall be fixed by the Council.

Meetings of the Institute

(1) The Council shall convene the annual general meeting of the Institute in every year on such day as the Council may appoint, and where the meeting is not held within one year after the previous annual meeting, not more than 15 months shall elapse between the respective dates of the two meetings.

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

(3) The Secretary shall also send to each member with such notice a copy of the annual report of the Council, a copy of accounts of the Institute with the auditors' reports, and particulars of all motions to be brought before the meeting.

(4) The Council may direct that all general meetings of the Institute which are not annual general meetings shall be called extra-ordinary general meeting.

(5) An extra-ordinary general meeting shall be convened on request by members if —

(a) a notice is served by the Institute on any member of the Council, its committees and the Institute either personally or by sending through post, a letter addressed to such member at the address as appearing in the register of members or other records of members not being professional members;

(b) served by post shall be deemed to have been served on the day following that on which the letter containing the same is put into the post and in proving such service; and

(c) it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post office as prepaid.

(6) A business shall be deemed special if it is transacted at an —

(a) extra-ordinary meeting; and

(b) annual general meeting if it is inclusive of the consideration of the accounts and balance sheet, and the report of the Council and of auditors and the fixing of the remuneration of the auditors and the election of members of the Council.

(7) An extra-ordinary or special meeting of the Institute shall be —

(a) called by a 21 days notice in writing and the notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given and shall specify the place, the day, and the hour of the meeting, and in case of business other than ordinary business of the Institute, the general nature of business; and

(b) conveyed by the Secretary on the request of the President of the Institute or on request in writing by at least 100 financial members of which not less than 10 signatories are from each of the six geopolitical zones of Nigeria.

(8) A member wishing to bring before the annual general meeting any motion not relating to the ordinary annual meeting of the Institute may do so provided that —

(a) notice in writing of the proposed motion is sent or given to the Secretary and is received by him not later than 45 days before the date of the annual general meeting; and

(b) at least 10 members entitled to vote at the annual general meeting shall have sent or given notice in writing to the Secretary to be received by him not later than 30 days before the date of the annual general meeting expressing their desire that the proposed motion be brought before the annual general meeting and the proposed motion relates to matters affecting the Institute.

(9) Where within an hour from the time appointed for the holding of a general meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be dissolved and in any other case it shall stand adjourned to the same day or next day, at the same time and place, or at such other place as the Chairman of the meeting shall appoint, and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall be a quorum.

(10) The quorum of any general meeting of the Institute shall be 20 financial members, and that of any special meeting of the Institute shall be 150 financial members

(11) Except as provided in these rules regarding voting to elect members to fill vacancies on the Council, a resolution put to the vote at any annual general meeting or special meeting of the Institute, shall be decided on a show of hands unless, before or on the declaration of the show of hands, a poll is demanded by a least ten per cent of those present provide that the number arrived at is at least five.

(12) No amendment shall be permitted to any resolution to alter, amend or add to the rules and bye-laws of the Institute except with the consent of the Chairman of the meeting and if in the opinion of the Chairman (whose decision shall be final) the amendment is one of form only not of substance.

(13) Where secret ballot is demanded or is required to be taken, it shall be taken in accordance with the relevant bye-laws and the result of the secret ballot shall be deemed to be the resolution of the meeting at which the secret ballot is demanded.

(14) Except as provided in these rules regarding voting to elect members by ballot to fill vacancies in the Council, in case of an equality of vote, whether on a show of hands or on a secret ballot, the Chairman of the meeting at which the show of hands take place or at which the pool is required to take place or at which the poll is required to be taken shall be entitled to second or casting vote.

(15) A poll demanded on the election of Chairman or on any question of adjournment shall be taken and a poll demanded or required to be taken of any other question shall be taken at such time and place as the Chairman of the meeting directs and any business other than upon which a poll has been demanded or is required may be proceeded with pending the taking of the poll.

(16) On a show of hands or on a poll every member present in person shall, except as provided in the case of electing members to fill vacancies of the Council, have one vote.

(17) Each corporate member's voting power at any meeting of the Institute shall be vested in a single person entitled "voting representative", who, if he is a professional member of the Institute in his own right, may exercise his rights to vote as an individual member in addition to voting as a representative.

Meetings of the Council

5. (1) Subject to the provisions of this Act and any standing orders of the Council, the Council shall meet whenever it is summoned by the President, and if the President is required to do so by notice in writing given to him 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 1st Vice-President or 2nd Vice-President shall preside, but if they are absent, the members present at the meeting shall appoint one of their members to preside at that meeting.

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

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

Committee

(1) The Council may appoint one or more committees to perform, on behalf of the Institute or Governing Board, such functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by this Act, and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

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

Miscellaneous

(1) The affixing of the seal of the Institute shall be authenticated by the signature of the President or of some other member of the Council authorised 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 or executed on behalf of the Institute or of the Council as the case may be required, by any person generally or specially authorised to act for that purpose by the Council.

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

8. The validity of any proceedings of the Institute or the Council or of a committee of the Council shall not be 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.

9. Any member of the Institute or the Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute, or on behalf of the Council or a committee, shall forthwith disclose his 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.

10. A person shall not by reason only of his membership of the Institute be required to disclose any interest relating solely to the audit of the accounts of the Institute.

Second Schedule Section 18(2)

TRANSITIONAL PROVISIONS AS TO PROPERTY

Transfer of Property

1. (1) Every agreement to which the Institute was a party immediately before the commencement of this Act, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations could be assigned by the Institute, shall unless its terms or subject matter makes it impossible that it should have effect as modified in the manner provided by this subparagraph, have effect from the commencement of this Act so far as it relates to property recognised by this Act to the Institute as if —

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

(b) for any reference (however worded and whether express or implied) to the Institute there were substituted, as respects anything failing to be done on or after the commencement of this Act, a reference to the Institute and; and

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

(2) Other documents which refer, whether specially or generally, to the Institute shall be construed in accordance with subparagraph (1) so far as applicable.

(3) Without prejudice to the generality of the provisions of this Schedule, where, by the operation of any of them or of a section of this Act, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the commencement of this Act, have the same rights, powers and remedies, and in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority, for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Institute.

(4) Any legal proceedings or application to any authority pending on the commencement by or against the Institute, recognised by this Act to the Institute may be continued on or after that day by or against the Institute.

(5) If the law in effect at the place where any property recognised by this Act is situated provides for the registration of transfers or property of the kind in question, whether by reference to an instrument of transfer or otherwise, the law shall, so far it provides for alternations of a register, but not for avoidance of transfers, the payment of fees or any other matter, apply with the necessary modification to the transfer of the property, and the Council shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of the officer to register the transfer accordingly.

Transfer of functions

. (1) At its first meeting, the Council of the Institute shall fix date (not later than six months after the commencement of this Act, for the annual general meeting of the Institute.

(2) The members of the Council of the Institute shall be deemed to be the members of Council of the Institute until the date determined under subparagraph (1) when the Institute shall have its next annual general meeting, and those who have completed two years shall cease to hold office at the conclusion of such meeting.

(3) Any person who, immediately before the commencement of this Act, held office as the President or Vice-President of the Council of the Institute by virtue of the existing association shall on that day become the President or as the case may be, the Vice-President of the Institute, and shall be deemed to have been appointed —

(a) to that office under the provision of this Act corresponding to the relevant provision in the articles of association; and

(b) on the date on which he took office, or last took office, under the relevant provision of those articles.

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

(5) Any person being an office-holder on, or member of the Council of the Institute immediately before the commencement of this Act and deemed under this paragraph to have been appointed to any like position in the Institute, or the Council of the Institute, and 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 purposes of the Institute and in effect immediately before the commencement of this Act, shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, have effect, with any necessary modifications, as if duly made for the corresponding purposes of the Institute.

Transition

Before the year in which an election to change or reconfirm a subsisting Council, at the annual general meeting preceding the one in which the election will hold, members on the recommendation of the Council would approve the composition of an ad-hoc Electoral Committee that would organise and supervise the conduct of the elections at the prescribed annual general meeting,

. The Electoral Committee would draw up guidelines and procedures for the conduct of the elections, and supervise the conduct of the election and its Chairman would be responsible for officially declaring the results, and same procedure shall apply to the executive officers of State Chapters and Districts respectively except whereas explicitly covered by bye-laws.

Third Schedule Section 12 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY COMMITTEE AND INVESTIGATING PANEL

The Tribunal

The quorum of the Tribunal shall be four of whom at least two shall be registered members.

(1) The relevant statutory provisions shall be observed as to the selection of members of the Tribunal for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.

(2) The rules shall in particular provide for —

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

(b) determining who in addition to the person, shall be a party to the proceedings;

(c) securing that any party to the proceeding shall, if he so requires, be entitled to be heard by the Tribunal;

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

(e) subject to the provisions of section 12 of this Act, the costs of proceedings before the Tribunal;

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

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

3. For the purpose of any proceedings before the Tribunal, any member of the Tribunal may administer oaths, but no person appearing before the Tribunal shall be compelled to —

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

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

(1) For the purposes of advising the Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Tribunal who shall be appointed by the Council.

(2) The Council 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 Tribunal on any question of law as to evidence, procedure or any other matters specified by the rule, he shall do so in the presence of every party or person representing a party to the proceedings who appears there at or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person shall be informed what advice the assessor has tendered;

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

(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.

The Panel

5. The quorum of the Panel shall be four.

5. (1) The Panel may, at any meeting of the Panel attended by the members of the Panel, make standing orders with respect to the Panel.

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

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or the Panel shall be eligible for reappointment as a member of that body.

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

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

. 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 appointed under section 6 of this Act.

0. Any expenses of the Tribunal or the Panel shall be defrayed by the Institute.

, CERTIFY, IN ACCORDANCE WITH SECTION 2 (1) OF THE ACTS AUTHENTICATION ACT, CAP. A2, LAWS OF THE FEDERATION OF NIGERIA, 2004, THAT THIS IS A TRUE COPY OF THE BILL PASSED BY BOTH HOUSES OF THE NATIONAL ASSEMBLY.

SANI MAGAJI TAMBAWAL, fcna
CLERK TO THE NATIONAL ASSEMBLY

11th DAY OF April, 2023

SCHEDULE TO THE INSTITUTE OF STRATEGIC MANAGEMENT OF NIGERIA BILL, 2023

SHORT TITLE OF THE BILL	LONG TITLE OF THE BILL	SUMMARY OF THECONTENTS OF THE BILL	DATE PASSED BY THE SENATE	DATE PASSED BY THE HOUSE OF REPRESENTATIVES
Institute of Strategic Management of Nigeria Bill, 2023	An Act to establish the Institute of Strategic Management of Nigeria charged with the responsibility, amongst others, to regulate and determine the standards of knowledge, skills and qualifications of persons seeking to become professional strategic managers in Nigeria; and for related matters.	This Bill establishes the Institute of Strategic Management of Nigeria charged with the responsibility, amongst others, to regulate and determine the standards of knowledge, skills and qualifications of persons seeking to become professional strategic managers in Nigeria.	18th January, 2023	27th July, 2022

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

SANI MAGAJI TAMBAWAL, fcna
Clerk to the National Assembly
11th Day of April, 2023

I ASSENT.

MUHAMMADU BUHARI, GCFR
President of the Federal Republic of Nigeria
11th Day of MAY, 2023.