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2022 No.

Nigerian Council for Social Work
(Establishment) Act, 2022

**NIGERIAN COUNCIL FOR SOCIAL WORK
(ESTABLISHMENT) ACT, 2022**



ARRANGEMENT OF SECTIONS

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SCHEDULES

**NIGERIAN COUNCIL FOR SOCIAL WORK
(ESTABLISHMENT) ACT, 2022**

ACT No. 40

AN ACT TO ESTABLISH THE NIGERIAN COUNCIL FOR SOCIAL WORK TO REGULATE THE
PRACTICE OF PROFESSIONAL SOCIAL WORK IN NIGERIA ; AND FOR RELATED MATTERS

[1st Day of December, 2022]

Commence-
ment.

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

PART I—ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR
SOCIAL WORK AND ITS GOVERNING BOARD

1.—(1) There is established the Nigerian Council for Social Work (in this Act referred to as “the Council”) which shall regulate the practice of professional social work in Nigeria.

Establishment
of the
Nigeria
Council for
Social Work.

(2) The Council —

(a) shall be a body corporate with perpetual succession and a common seal ; and

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

2. The Council shall —

Functions of
the Council.

(a) promote professional practice and uphold social work ethics and values ;

(b) determine the standards of knowledge and skills to be attained by persons seeking to become members of the profession of social work (in this Act referred to as “the Profession”) and review those standards as circumstances may require ;

(c) promote research and ensure high standard and quality of training of social workers ; and

(d) regulate and control the practice of the Profession in all ramifications.

3.—(1) There is established for the Council a Governing Board (in this Act referred to as “the Board”) charged with the administration and general management of the Profession.

Establishment
and
composition
of the
Governing
Board.

(2) The Board shall consist of —

(a) a Chairman ;

(b) two social workers to represent the Nigeria Association of Social Workers (NASoW) ;

(c) one social worker representing —

(i) Association of Medical Social Workers of Nigeria (AMSOWN),

- (ii) Association of Social Work Educators of Nigeria (ASWEN),
 - (iii) Institute of Social Work of Nigeria (ISOWN), and
 - (iv) any other incorporated organisation affiliated to the umbrella social work organisation in Nigeria ;
- (d) any social worker to represent —
- (i) indigenous non-governmental organisations, and
 - (ii) institutions offering social work on rotation ;
- (e) one person each to represent —
- (i) Civil Society Organisations,
 - (ii) Federal Government establishment responsible for social investment, employment, labour and productivity ;
- (f) three social workers to represent component departments at the Federal Ministries responsible for social work services on rotation ;
- (g) one person to represent component departments at the State Ministries responsible for social work service delivery on rotation ; and
- (h) the Registrar, who shall be the secretary and chief executive officer of the Board.

Powers of
the Minister.

4.—(1) The Minister may give to the Council directions relating generally to particular matters but not to any individual person or case with regard to the exercise by the Council of its functions.

(2) The Minister shall perform supervisory roles over the Council.

Qualifications
of the
Chairman
and members
of the Board.

5.—(1) A person shall be qualified for appointment to the office of the Chairman or member of the Council, if the person —

- (a) is a citizen of Nigeria ;
- (b) has attained the age of 35 years ;
- (c) possesses the qualification stated in section 17 (1) (c) of this Act ;
- (d) has not been adjudged to be mentally unfit ; and
- (e) has not been declared bankrupt.

(2) The Chairman of the Board shall be appointed by the President on the recommendation of the Minister and the Chairman shall hold office for a term of three years and may be eligible for re-appointment for another term of three years and no more.

(3) The Chairman shall preside at the meetings of the Board, but in the event of death, resignation, incapacity or inability to perform the functions of the office for any reason, the Board shall elect a fit and proper member of the Board to act in his stead for the unexpired portion of the term of office.

(4) The provisions of the First Schedule to this Act shall have effect with respect to the qualifications and tenure of office of members of the Board and other matters mentioned in the First Schedule. First
Schedule

PART II — FINANCIAL PROVISIONS

6.—(1) The Council shall establish and maintain a fund (in this Act referred to as “the Fund”) the management and control of which shall be vested in the Council and into which shall be paid — Fund of the
Council.

(a) money received by the Council under this Act ;

(b) all fees and other money payable to the Council by licensed social workers, individuals and corporate bodies ; and

(c) such money as the Minister may, out of money provided by the Federal Government, individuals or corporate bodies (national or international) to the Council by way of grant, subvention, loan or otherwise.

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

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

(b) the remunerations and allowances of the Registrar and other staff of the Council ; and

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

(3) Subject to guidelines issued by the Board, the Council’s funds and assets may be invested in any bond, bill or other securities issued or guaranteed by the Federal Government or the Central Bank of Nigeria.

7. The Council may borrow money for the purposes of the Council and any interest payable on money so borrowed shall be paid out of the Fund. Borrowing
powers.

8.—(1) The Council shall prepare and inform the Minister, not later than 31 October of the year in which this Act comes into effect (so however that for that year the Minister may, if he considers it necessary, extend the period and in each subsequent year) an estimate of its expenditure and income during the next succeeding financial year. Estimate
report,
accounts and
audit.

(2) The Council shall keep proper accounts in respect of each financial year and proper records in relation to those accounts, and shall cause the accounts to be audited after the end of each financial year to which the accounts relate by a firm of auditors appointed, with respects to that year, from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.

(3) The Council shall prepare and inform the Minister, not later than 12 months after its establishment and once in each year thereafter, a report on the activities of the Council during the last preceding financial year and shall include in the report a copy of the audited accounts of the Council for that year and of the auditors' report on the accounts.

PART III — REGISTRAR AND THE REGISTER

Appointment
of Registrar
and other
staff of the
Council.

9.—(1) The Council shall appoint a fit and competent social worker to be the Registrar and Chief Executive Officer of the Council and such other persons as the Council may deem necessary to assist the Registrar in the performance of his functions under this Act.

(2) The Registrar shall in addition to his other functions under this Act —

(a) be the Secretary to the Council ;

(b) keep minutes of the proceedings of all meetings of the Board and committees ;

(c) report to the Board ;

(d) keep the records and conduct the correspondence of the Council ; and

(e) perform such other functions as the Board may direct.

(3) The Council may appoint —

(a) Deputy Registrars to assist the Registrar on —

(i) finance and administration, and

(ii) professional matters ; and

(b) other persons as employees of the Council as the Board may determine.

(4) The Council shall have the power to advance, confirm, promote, transfer, discipline and terminate appointments of employees of the Council in line with the Public Service Rules.

Service in
the Council
to be
pensionable.
Act No. 4,
2014.

10.—(1) Service in the Council shall be approved service for purpose of the Pension Reform Act.

(2) Employees of the Council shall be entitled to pension, gratuities and any other retirement benefits as are applicable to persons holding equivalent grades in the civil service of the Federation.

Remuneration
of staff.

11. The terms and conditions of service including terms and conditions as to remuneration, allowance, retirement and other benefits of the staff and other employees of the Council shall be as may be determined by the Council with the approval of the Minister.

12. The Council shall be autonomous in performing its function under this Act and shall not be subject to the direction or control of any other authority or person except as provided in this Act. Powers of the Council.

13.—(1) Subject to the provisions of this Act, the Board shall make rules with respect to the form and how to keep and make entries in the register and in particular — Register and registration of members.

(a) regulating the making of applications for enrolment or registration, as the case may be and provide for the evidence to be produced in support of the applications ;

(b) providing for the notification to the Registrar by the person to whom any registered particular relates or any change in those particulars ;

(c) authorising an enrolled or registered person to have any qualification which, in relation to the Profession is, either an approved qualification, for the purpose 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) specifying the fees, including any annual subscription, to be paid to the Council in respect of the entry of names on the register and authorise the Registrar to refuse to enter a name on the register until the fees specified for the entry have been paid ;

(e) specifying the standards of conduct required of a member of the Council and actions or omissions that amount to a misconduct ; and

(f) specifying anything that has not been specified under this section; but rules made for the purpose of paragraph (d) shall not come into effect until they are confirmed by the Council.

(2) The Registrar shall —

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

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

(c) remove from the register, the name of a deceased person or persons whose names he is directed to strike off as a result of disciplinary action ; and

(d) record the names of registered persons of the Council who are in the default for more than one year in the payment of license renewal fees, and to take such action in relation to it (including removal of the names of defaulters from the register).

(3) A person whose name is removed from the register for being in default of payment of fees for any year may be re-registered subject to payment of outstanding fees as may be approved by the Council and all actions are subject to the approval of the Council.

(4) The rules made under subsection (1) shall provide for a procedure to update the particulars of registered persons in the register, and conditions under which the Registrar may remove the name of a person from the list for failing to update his particulars, and the manner which provides for restoration of a person in the list.

Publication
of register
and list of
corrections.

14. The Registrar shall —

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

(b) subsequently, in each year, cause to be printed, published and put on sale, either a corrected edition of the register or list of corrections made to the register since it was last printed;

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

(d) keep the register and list so deposited and make the register and such lists available at all reasonable times for inspection by members of the public, either physically or virtually through an internet portal.

PART IV — REGISTRATION OF SOCIAL WORKERS

Approval of
qualification.

15.—(1) The Council shall approve —

(a) social work course of training at an approved institution which is intended for persons who are seeking to become or are already professional social workers and which the Council considers relevant to be registered and certified as professionals ; and

(b) social work qualifications which, as a result of examinations taken in conjunction with a course of training approved by the Council under this section, are granted to candidates that reach a standard at the examination which indicates, in the opinion of the Council, that the candidates have sufficient knowledge and skill to practice the Profession.

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

(a) give notice that it proposes to withdraw the approval to the person in Nigeria which appears to the Council to be a person or institution that —

-
- (i) conducts the course or grants the qualification ;
 - (ii) controls the institution ;
 - (b) give the person an opportunity to make representation to the Council with regard to the proposal ; and
 - (c) take into consideration any representation made in respect of the proposal.

(3) Giving or withdrawing an approval under this section shall have effect from such date, either before or after the execution of the instrument which signifies the giving or withdrawal of the approval as the Council may specify in that instrument, and the Council shall —

- (a) publish, as soon as possible, a copy of such instrument in its website and the print media ; and
- (b) not later than seven days before its publication, send a copy of the instrument to the Minister and a copy each to the Federal and State Ministries, Agencies and Departments responsible for social development components.

16.—(1) The Council shall keep itself informed of the nature of the —

- (a) instructions given at approved institutions to persons attending approved courses of training ; and
- (b) examinations as a result of which approved qualifications are granted and, for the purposes of performing that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions, or to attend such examinations.

Supervision of instructions and examinations leading to the approved qualifications.

(2) On receiving a report made under this section, the Board may, if it deems fit and if so required by the Council, send a copy of the report to the person appearing to the Council to be in charge of the Institution or responsible for the examination to which the report relates, requesting that person to make observations on the report to the Council within a period specified in the request, not being less than one month beginning with the date.

17.—(1) A person is entitled to be registered under this Act and to receive a registration certificate as a social worker if —

- (a) he has attended a course of training approved by the Council under section 15 of this Act ;
- (b) the course was conducted at an institution approved, or partly at one of the institutions and partly at another ;
- (c) he holds a minimum certificate in social work awarded by any institution recognised by the Council ;

Registration as social worker.

Special provisions as to social workers trained outside Nigeria.

(d) he holds a certificate of experience issued on completion of one year internship in an approved institution or agency;

(e) he is of good character ; and

(f) he pays all prescribed fees.

(2) The Council shall determine the nomenclature for the different levels of licenses applicable to the qualifications.

18.—(1) Where a person has completed a course of training outside Nigeria, as a social worker which is not acceptable to the Council, without further proof of competency, the Council may require that person to undergo additional training in social work in an approved institution or under any scheme of training in Nigeria approved by the Council and upon completion of the prescribed further training to the satisfaction of the Council, the person may apply for registration for licensing examination in the prescribed level and be registered accordingly in the appropriate register.

(2) Where a person who is not a Nigerian or an expatriate satisfies the Council that he —

(a) has been selected for employment for period of at least six months in a capacity in which a registered person under this Act would normally be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question,

(b) holds or has passed examinations necessary for obtaining some qualifications granted outside Nigeria which is for the time being accepted by the Council for the purpose of this Act as regards the capacity in which, if employed he is to serve, and

(c) pays the fees prescribed for registration,

the Council may, if it deems fit, direct that he shall be temporarily registered and subject to annual renewal, maintain a license for the period of the employment.

(3) The temporary registration of a person shall continue only while he is in that employment mentioned under subsection (2) (a) and shall cease on the termination of the —

(a) period of employment specified to the Council under that subsection ; or

(b) employment before the end of that period, whichever occurs first.

(4) Nothing in subsection (3) shall preclude the Council from giving a further direction under subsection (2) in respect of a specific period, the commencement of which coincides with the termination of another period.

19.—(1) The Council shall provide a Code of Professional and Ethical Conduct to guide social workers in the discharge of their duties.

Code of Professional and Ethical Conduct.

(2) The Council shall cause a revision of the Code of Professional and Ethical Conduct as may be deemed appropriate to conform with social work practices.

(3) The Council shall cause to be published in the Council’s Journal, the Code of Professional and Ethical Conduct as approved by the Council which shall be binding on every social worker in Nigeria.

PART V — PROFESSIONAL DISCIPLINE

20.—(1) There is established the Nigerian Council for Social Work Investigating Panel (in this Act referred to as “the Investigating Panel”) which shall —

Establishment of the Investigating Panel and Disciplinary Committee.

(a) conduct a preliminary investigation into any case where it is alleged that a member of the Council is involved in misconduct in his capacity as a member or is for any other reason, the subject of proceeding before the Disciplinary Committee ; and

(b) decide whether the case should be referred to the Disciplinary Committee or not.

(2) The Investigating Panel shall be appointed by the Board and shall consist of five members —

(a) two members of the Board, one of whom shall be the Chairman ; and

(b) three members of the Council who are not members of the Board.

(3) The tenure of a member of the Investigating Panel shall be two years and may be renewable for a further term of two years and no more.

(4) The Investigating Panel shall act independently in receiving and investigating allegations under subsection (1) (a) and has power to receive complaints directly from any individual or organisation.

(5) There is established the Nigerian Council for Social Work Disciplinary Committee (in this Act referred to as “the Disciplinary Committee”) charged with the duty of considering and determining any case referred to it by the Investigating Panel.

(6) The Disciplinary Committee shall be appointed by the Board and shall consist of five members —

(a) two members of the Board, one of whom shall be the Chairman ; and

(b) three other members of the Council who are not members of the Board.

- (7) The Council may make rules, consistent with this Act, regarding acts which constitute professional misconduct.
- Second Schedule. (8) The provisions of the Second Schedule to this Act apply to the Investigating Panel and Disciplinary Committee respectively.
- Penalties for professional misconduct. **21.—(1) Where —**
- (a) a member is adjudged by the Disciplinary Committee to be guilty of professional misconduct in any professional respect,
- (b) a member is convicted by any court of law having power to award imprisonment for an offence (whether or not punishable with imprisonment) which in the opinion of the Disciplinary Committee, is incompatible with the conduct required of a certified social worker, or
- (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered,
- the Disciplinary Committee shall order the Registrar to strike his name off the relevant part of the register.
- (2) For the purpose of subsection (1), a person shall not be treated as guilty unless the guilt stands at a time when no appeal or further appeal is pending or may, (without any extension of time) be brought in connection with the direction.
- (3) Where the Disciplinary Committee gives a direction under subsection (1), the Disciplinary Committee shall cause notice of the direction to be served on the person to whom it relates.
- (4) The person to whom such a direction relates may, at any time within 28 days from the date of service on him of the notice of direction, appeal against the direction to a competent court.
- (5) An order of the Disciplinary Committee under subsection (1) shall take effect where —
- (a) no appeal under this section is brought against the direction within the time limit for that appeal or at the expiration of that time ;
- (b) such an appeal is brought, withdrawn or struck out for want of prosecution or dismissed for lack of merit ; and
- (c) an appeal is brought, withdrawn or struck out, if the appeal is dismissed, and it shall not take effect in accordance with the provisions of this subsection.
- (6) A person whose name is struck off the register, pursuant to an order of the Disciplinary Committee under this section, is not entitled to be enrolled or registered again except in pursuance of an order in that behalf, and under this section for striking off of a person’s name from the register.

(7) The Disciplinary Committee may prohibit an application under this section by that person until the expiration of such period from the date of the order (and where he has duly made such an application, from the date of his last application), as may be specified in the order.

PART VI — MISCELLANEOUS PROVISIONS

22.—(1) A person shall not be allowed to practice, continue in practice or carry out any activity construed to mean social work practice on commencement of this Act without registration and license.

Prohibition of practice by non-registered person, and scope of practice.

(2) A person in a social work service sector, without minimum qualification recognised by the Council before the commencement of this Act, shall be registered in a category of registration and be required to acquire the minimum professional social work certificate recognised by the Council.

23.—(1) The Council shall regulate the scope of practice for social work to include —

Scope of social work.

(a) interacting with individuals, social groups, and communities for the purposes of interview, assessment, diagnosis, treatment and evaluation of the social problems affecting them and the provision of social services,

(b) provision of social support to individuals, social groups and communities for the purposes of prevention, remediation, and resolution of social problems affecting them,

(c) development, promotion, provision, delivery, management and evaluation of human service programmes for the prevention, remediation, and resolution of social problems affecting individuals, social groups, and communities,

(d) development of social policies aimed at the resolution of social problems and improving the social conditions of living of individuals, social groups, and communities,

(e) provision of supervision, consultation, administration and evaluation of social services to clients, and

(f) conducting of researches on social problems affecting individuals, social groups, and communities.

(2) The Council shall approve other activities for the Profession.

(3) Agencies to which social work practice in Nigeria may apply include —

(a) social welfare offices ;

(b) community mobilisation offices ;

(c) youth mobilisation and empowerment centres ;

- (d) child welfare, orphanage and day care centres ;
- (e) hospitals (medical social welfare) ;
- (f) court assessors and probations services ;
- (g) correctional services ;
- (h) occupational and industrial social welfare ;
- (i) pilgrims welfare ;
- (j) rehabilitation (for persons with disabilities, drug addicts, victim of human trafficking, destitutes) ;
- (k) refugees and internally displaced persons ;
- (l) geriatric services ;
- (m) conflict resolution and management ;
- (n) school social work ;
- (o) educational institutions offering social work programme ;
- (p) institutions for health insurance, social insurance, pension and gratuity administration and staff welfare ;
- (q) women development centres ;
- (r) gender development ;
- (s) citizens and leadership training centres ;
- (t) senior citizens centres ; and
- (u) police, military and paramilitary welfare.

Rules as to
practice.

24.—(1) The Board shall make rules —

- (a) to guide social work practice and training ;
- (b) prescribing the amount and due date for the payment of the annual subscription fees and, for such purposes, different amounts may be prescribed by the rules according to the category of membership;
- (c) prescribing the form of license to practice to be issued annually or, if the Council deems fit, by endorsement on an existing license ;
- (d) restricting the right to practice as a member of the —
 - (i) Council in default of the amount of annual subscription fees where the default continues for longer than a period as may be prescribed by the rules, or
 - (ii) Profession if the qualification granted outside Nigeria does not entitle the holder to practice as a member of the Profession ;
- (e) prescribing the period of practical training in the office of a member of the profession in practice to be completed before a person qualifies for a license to practice as a member of the profession ; and
- (f) prescribing the annual subscription or practicing fees.

(2) The rules made under this section shall be published in the official newsletter, website and magazine of the Council.

<p>25. The Council shall —</p> <p>(a) provide and maintain a library comprising of books and publications for the advancement of the knowledge of social work and such other books, publications, website and internet communication technology media as may be considered necessary ; and</p> <p>(b) encourage research into social work and allied subjects to the extent that the Council may consider necessary including but the collation, editing and publication of a professional journal of social work.</p>	<p>Provision of library facilities.</p>
<p>26.—(1) Any regulation made under this Act shall be published in the journal of the Council.</p> <p>(2) Regulations made for the purpose of this Act shall be made at a duly convened meeting of the Board subject to confirmation by the Council at its next Board meeting and shall not have effect until so confirmed.</p>	<p>Regulations.</p>
<p>27.—(1) A person who, for the purpose of procuring the registration of a name, qualification or other matter —</p> <p>(a) makes a statement which he believes to be false in any material particular, or</p> <p>(b) recklessly makes statement which is false in any material particular, commits an offence.</p> <p>(2) If, on or after the coming into effect of this Act, a person who is not a member the Council —</p> <p>(a) practices or holds himself out as a member of the Council for, or in expectation of reward, or</p> <p>(b) takes or uses any name, title, addition or description, implying that he is in practice as a member of the Council,</p> <p>he commits an offence.</p> <p>(3) In the case of a person failing within section 22 of this Act —</p> <p>(a) the provision of subsection (2) does not apply in respect of anything done by him during the period of three months ; and</p> <p>(b) if within that period he duly applies for membership of the Council then, unless within that period he is notified that his application has not been approved, the provision of subsection (2) shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled, registered or notified.</p> <p>(4) The Registrar or any other person employed by or on behalf of the Council who willfully makes any falsification in any matter relating to the register, commits an offence.</p>	<p>Offence and penalties.</p>

(5) A person who commits an offence under this section is liable on conviction to a minimum fine of ₦100,000, or imprisonment for a maximum term of two years, or to both fine and imprisonment.

(6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in that capacity, he, as well as the body corporate are deemed to have committed the offence and shall be liable on conviction by a court of competent jurisdiction in the case of —

- (a) an individual, to the punishment prescribed under subsection (5) ; and
- (b) a body corporate, to a fine of at least ₦500,000, a ban on practice for a specific period of time of at least than one year, or both.

Training and continuous capacity development.

28. The Council shall empower the Incorporated Institute of Social Work to offer refresher courses and continuous capacity development activities and professional manpower development for social work practice and may mandate other incorporated bodies for the same purpose.

National and international relations.

29. The Council may synergize with the social work umbrella organisation and its affiliates to strengthen collaboration with the world global social work regulatory bodies.

Interpretation.

30. In this Act —

“*affiliates*” means —

- (a) Association of Medical Social Workers of Nigeria (AMSOWN) ;
- (b) Association of Social Work Educators of Nigeria (ASWEN) ;
- (c) Institute of Social Work of Nigeria (ISOWN) ; and
- (d) any other body that may be incorporated ;

“*Board*” means the governing board established under section 3 (1) of this Act ;

“*components*” means youth development, social welfare, child development, rehabilitation of persons with disabilities ,women development and gender affairs, community development, and care of the aged ;

“*Council*” means Nigerian Council for Social Work established under section 1 of this Act ;

“*fees*” includes registration fees, cost of registration for examination, inspection, accreditation, indenting and licensing ;

“*fine*” including mount prescribed for payment in default under the provisions of this Act and rules of the Council ;

“Government” means Government of the Federal Republic of Nigeria ;
“the list” means the list of recommended auditors to be approved by the Council ;

“member” means a member of the Board ;

“Minister” means Minister responsible for matters relating to social work services ;

“NASoW” means the Nigeria Association of Social Workers, an umbrella social work organisation in Nigeria ;

“person” means qualified social worker seeking for license to practice ;

“register” means a register maintained under this Act and “registered” shall be construed accordingly ;

“Registrar” means the Registrar appointed as the Secretary of the Council ;

“regulations” means regulations made by the Council ;

“scope of practice” means the assessment, the diagnosis, treatment and evaluation of individual, interpersonal and societal problems through the use of social work knowledge, skills, intervention and strategies, to assist individuals, families, groups, organisations and communities to achieve optimum psycho-social and social function ; and

“social workers” means a registered person who is trained in understanding human behaviour relationship, identification of community resources; offering help to family in dispute, juvenile delinquent, destitute, person with disability, orphan, the sick, mentally retarded and disorder person, person in conflict with the law and other vulnerable and disadvantaged group.

31. This Act may be cited as the Nigerian Council for Social Work (Establishment) Act, 2022. Citation.

SCHEDULES

FIRST SCHEDULE

Section 5 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Tenure of office of Members of the Council

1.—(1) Subject to the provision of this Act, a member of the Board shall hold office for a term of three years, beginning with the date of his appointment.

(2) Appointments to the Board shall have effect subject to the provisions of this Schedule.

(3) Persons who are appointed shall continue to be members of the Board while they are employed in the Public Service of the Federaton or State, universities, polytechnics or monotechnics or in the service of the armed forces, as the case may be.

(4) A person appointed under section 3 (2) of this Act may resign his membership by notice in writing to the Board, and any person whether or not so appointed, who ceases to be a member of the Board shall, in a proper case be eligible again to become a member of the Board for one further term only.

(5) It is not necessary to fill any vacancy on the Board where the unexpired residue of the term of office of a member (other than by effluxion of time) does not exceed one year and the member has not been appointed on rotation.

(6) Notwithstanding that his term of office may not have expired, an appointed member may vacate his office if he gives notice in writing of his resignation addressed to the Board, and an appointed member shall vacate his office if —

(a) the Board is satisfied that, by reason of mental or physical infirmity, he is incapable of discharging the duties of his office ; or

(b) he absents himself for two consecutive ordinary meetings of the Board without the leave of the Board.

(7) A person who is a member by virtue of occupation of a particular office shall cease to be a member if he ceases to occupy the particular office outside the Board.

Proceedings of the Board

2.—(1) Subject to the provisions of this Act, the Board may, in the name of the Council, make standing orders regulating its proceedings or proceedings of its committees.

(2) The standing orders shall provide for decision to be taken by a majority of the members and, in the event of equality of votes, the Chairman shall have a second or casting vote.

(3) The standing orders made for a committee of the Board shall provide for the committee to report to the Board on any matter referred to it by the Council.

(4) The quorum of any meeting of the Board shall be two-thirds and the quorum of the committee shall be determined by the Board.

Meetings of the Board

3.—(1) Subject to the provisions of any standing order of the Board, the Board shall convene every three months or meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by at least 10 members, he shall convene a meeting of the Board to be held within 14 days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman shall preside, but if the Chairman is absent and the quorum is formed, the members present shall elect a member among them to preside.

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

(4) Notwithstanding anything in the provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister.

Committees

4.—(1) The Board may set up one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.

(2) A committee set up under this paragraph shall consist of the number of persons determined by the Board and not more than one-third may be persons who are not members of the Board and a person other than a member shall be in the committee in accordance with the terms of his letter of appointment.

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

Meeting of Members with Respective Constituencies

5. The members of the Board are required to meet at least once in a year with members of the social work constituency they represent and failure to meet a minimum of once in a year may warrant a recall and replacement.

Miscellaneous

6. (1) The affixing of the seal of the Council shall be authenticated by the signature of the Chairman or another member of the Board authorised generally or specifically by the Board to act for that purpose.

(2) A 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 the Board or Council, as the case be, by any person generally or specifically authorised to act for the purpose of the Council.

Proceedings

7. The validity of a proceeding of the Board or Committee shall not be affected by —

- (a) a vacancy in the membership of the Board or Committee ;
- (b) any defect in the appointment of a member of the Board or Committee ; or
- (c) reason that a person not entitled to do so took part in the proceedings.

Disclosure of interest

8. A member of the Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into, or on behalf of the Board or a committee shall disclose his interest to the Chairman or Board, as the case may be, and shall not vote on any question relating to that contract or arrangement.

SECOND SCHEDULE

Section 20 (8)

PROCEEDINGS OF THE DISCIPLINARY COMMITTEE

The Investigating Panel

1.—(1) The quorum of the Investigating Panel shall be three.

(2) The Board may, at any of its meetings attended by all members, make standing orders with respect to the Investigating Panel.

(3) Subject to the provision of any standing order, the Investigating Panel may regulate its own proceedings.

Appointment of a Person as a Member of the Investigating Panel, etc.

2.—(1) A person who ceases to be a member of the Investigating Panel is eligible for re-appointment as a member of the Investigating Panel.

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

Non-Validation on the Basis of Vacancy

3. The Investigating Panel or the Disciplinary Committee 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 2 (2) of this Schedule by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

Quorum

4. The quorum of the Disciplinary Committee shall be three members.

Rules

5.—(1) The Board shall make rules as to the selection of members of the Disciplinary Committee for the purposes of any proceeding, the procedure to be followed and the rules of evidence to be observed in the proceedings before the Disciplinary Committee.

(2) The rules shall, in particular, provide for —

(a) securing that any party to the proceedings is entitled to be heard and given fair opportunity to defend the allegations against him by the Disciplinary Committee ;

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

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

(d) securing that any party to the proceedings may be represented by a legal practitioner ;

(e) the costs of proceedings before the Disciplinary Committee subject to the provision of section 21 (1) of this Act ;

(f) requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of misconduct in any professional respect, that where the Disciplinary Committee adjudges that the allegation has been proved, it shall record a finding of that person's guilt of such misconduct in respect of the matters to which the allegation relates ; and

(g) publishing in the website, newsletter and magazine of the Council, a notice of any direction of the Disciplinary Committee which has taken effect providing that a person's name shall be struck off the register.

Proceedings of the Disciplinary Committee

6.—(1) On any question of law arising in the proceedings before it, there shall, in all such proceedings, be an assessor to the Disciplinary Committee and who shall be —

(a) appointed by the Board ; and

(b) a legal practitioner of at least seven years standing.

(2) The Board shall make rules as to the functions of the assessors appointed under this paragraph and in particular rules shall contain provisions for securing that —

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

(b) every party or person shall be informed if in any case the Disciplinary Committee 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 proceeding or class of proceedings, and shall hold and vacate office in accordance with the terms of the letters by which he is appointed.

Administering Oaths

7. For the purposes of any proceeding before the Disciplinary Committee, a member of the Disciplinary Committee may administer oaths and any party to the proceedings may sue out of the registry of the Federal High Court by writs of subpoena ad testificandum and dues tecum but no person appearing before the Disciplinary Committee shall be compelled to —

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

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

Service of Document

8. Any document authorised or required by virtue of this Act to be served on the Investigating Panel or the Disciplinary Committee shall be served on the Registrar.

I, 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.

Ojo O. A., fnia, fcia
Clerk to the National Assembly
1st Day of November, 2022.

EXPLANATORY MEMORANDUM

The Act establishes the Nigeria Council for Social Work to regulate the practice of professional social work in Nigeria.

**SCHEDULE TO THE NIGERIAN COUNCIL FOR SOCIAL WORK
(ESTABLISHMENT) BILL, 2022**

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
Nigerian Council for Social Work (Establishment) Bill, 2022.	An Act to establish the Nigerian Council for Social Work to regulate the practice of professional social work in Nigeria ; and for related matters.	This Bill establishes the Nigerian Council for Social Work to regulate the practice of professional social work in Nigeria.	28th June, 2022.	28th September, 2021.

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.

I ASSENT



OJO O. A., fnia, fcia
Clerk to the National Assembly
1st Day of November, 2022.

MUHAMMADU BUHARI, GCFR
President of the Federal Republic of Nigeria
1st Day of December, 2022.