**MEDICAL REHABILITATION THERAPISTS (REGISTRATION, ETC.) ACT**

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MEDICAL REHABILITATION THERAPISTS (REGISTRATION, ETe.) ACT

An Act to establish the Medical Rehabilitation Therapists Registration Board and to
make incidental provisions therefor.

[1988 No. 38.1

*[30th September, 1988]*

[Cornrnencernent.]

*The Board*

1. **Establishment of the Medical Rehabilitation Therapists Registration Board**

There is hereby established for physiotherapists, chiropractors, occupational thera-
pists, osteopaths and speech therapists a body to be known as the Medical Rehabilitation
Therapists Registration Board (in this Act referred to as the "Board") which shall be
charged with the duty 01'--

      *(a)*determining what standards of knowledge and skill are to be attained by per-
sons seeking to become members of the relevant profession and raising those
standards from time to time as circumstances may permit;

      *(b)*securing in accordance with the provisions of this Act the establishment and
maintenance or a register of persons registered under this Act as members of
the relevant profession and the publication from time to time of lists of those
persons;

      *(c)*conducting examinations in the relevant profession and awarding certificates
or diplomas to successful candidates as appropriate; and for such purpose the
Board shall prescribe fees to be paid in respect thereof; and

                             *(d)*performing the other functions conferred on the Board by this Act.

1. **Membership of the Board**

(1) The Board shall comprise the following members-

      *(a)*a chairman who shall be a member of any of the professions and has been so
qualified for not less than twelve years;

      *(b)*one representative of each of the professions, that is, one physiotherapist, one
chiropractor, one occupational therapist, one osteopath and one speech thera-
pist;

      *(c)*four persons from the related disciplines to represent the States on rotation for
two years at a time;

      *(d)*one person in medical rehabilitation to represent the Nigerian Medical Council;

             *(e)*two persons to represent schools involved in training members of the professions on rotation for two years at a time;

                                 (f)               two non-medical persons to represent public interest;

                                *(g)*one person to represent the Federal Ministry of Health;

      *(h)*one person to represent the Faculties of Medicine on rotation for two years at a
time; and

      *(i)*one person to represent the teaching hospitals on rotation for two years at a
time.

(2) All the appointments in subsection (1) of this section shall be made by the Presi-
dent, on the recommendation of the Minister.

(3) The provisions of the First Schedule to this Act shall have effect with respect to
the matters therein mentioned.

[First Schedule.]

1. **Fund of the Board**

(1) The fund of the Board shall consist 01'-

      *(a)*all fees and other moneys payable to the Board in pursuance of this Act; and

      *(b)*such money as may be payable to the Board whether in the course of the dis-
charge of its functions or otherwise.

(2) There shall be paid out of the fund of the Board-

      *(a)*the remuneration and allowances of the registrar and other employees of the
Board;

      *(b)*such reasonable travelling and subsistence allowances of members of the
Board as the Board may, with the approval of the Minister, determine; and

      *(c)*any other expenses incurred by the Board in the discharge of its functions un-
der this Act.

1. **Financial provisions**

(1) The Board shall prepare and submit to the Minister not later than the 30th day of
September of the year in which this Act comes into force (so however that the Minister

may, if he considers it necessary, extend the period) and of each subsequent year, an es-
timate of its income and expenditure during the next succeeding financial year.

(2) The Board shall keep proper accounts in respect of each financial year and proper
records in relation to those accounts and shall cause its accounts to be audited within six
months after the end of each financial year to which the accounts relate.

1. **Control of the Board by the Minister**

The Minister may give to the Board directions of a general character or relating gen-
erally to particular matters (but not to any individual person or case) with regard to the
exercise by the Board of its functions and it shall be the duty of the Board to comply with
the directions.

1. **Registrar and other staff of the Board**

(1) It shall be the duty of the Board to appoint a member of any of the professions
who has been qualified as a member of that profession for not less than twelve years to be
the registrar for the purposes of this Act.

(2) The registrar shall, in addition to his other functions under this Act, be the secre-
tary to the Board and shall, on the instructions of the chairman of the Board or any com-
mittee of the Board convene and keep minutes of the proceedings at all meetings of the
Board and committees thereof, as the case may be.

(3) The Board may appoint such other persons to be employees of the Board as the
Board may determine to assist the registrar in the exercise of his functions under this Act.

(4) The Board may, whenever the registrar is absent for any other reason or is unable
to discharge the functions of his office appoint an acting registrar to discharge those
functions.

(5) The registrar and other employees of the Board shall hold office on such condi-
tions as the Board may, with the approval of the Minister, determine.

*Registration*

1. **Preparation and maintenance of register**

(1) It shall be the duty of the registrar to prepare and maintain, in accordance with
rules made by the Board under this section, a register of the names, addresses, approved
qualifications and of such other particulars as may be specified of all persons who are
entitled in accordance with the provisions of this Act to be registered as members of the
relevant profession and who apply in the specified manner to be so registered.

(2) Subject to the following provisions of this section, the Board shall make rules
with respect to the form of keeping of the register and the making of entries therein, and
in particular-

      *(a)*regulating the making of application for registration and providing for the evi-
dence to be produced in support of application;

      *(b)*providing for the notification to the registrar by the person to whom any regis-
tered particulars relate, of any change in those particulars;

      *(c)*authorising a registered person to have any qualification which is, in relation to
his profession, whether an approved qualification or an accepted qualification
for the purposes of section 9 (2) 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 to be paid to the Board in respect of the entry of names on
the register and authorising the registrar to refuse to enter a name on the regis-
ter until any fees specified for entry have been paid; and

      *(e)*specifying anything falling to be specified under the foregoing provisions of
this section,

but rules made for the purposes of paragraph (d) of this subsection shall not come into
force until they have been confirmed by the Minister.

(3) It shall be the duty of the registrar-

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

      *(b)*to make from time to time any necessary alterations to the registered particu-
lars of registered persons;

      *(c)*to remove from the register the name of any registered person who has died or
has become insane.

(4) If the registrar-

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

      *(b)*upon the expiration of that period sends in like manner to the person in ques-
tion a second letter and receives no reply to that letter within three months
from the date of posting it,

the registrar may remove the particulars relating to the person in question from the regis-
ter but the Board may direct the registrar to restore to the register any particulars removed
there from under this subsection.

1. **Publication of register and list of corrections**
(1) It shall be the duty of the registrar-

      *(a)*to cause the register to be printed, published and put on sale to members of the
public not later than two years from the beginning of the year in which this Act
comes into force;

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

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

 (2) It shall be the duty of the Board to keep each register and lists deposited under
subsection (1) *(c)*of this section open at all reasonable times for inspection by members
of the public.

(3) A document purporting to be a print of an edition of a register published under
this section by authority of the registrar in the current year or documents purporting to be
prints of an edition of a register so published in the current year, 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 is so reg-
istered and that any person not so specified is not so registered.

1. **Registration**

(1) Subject to section 26 of this Act and to rules made under section 7 (2) hereof, a
person shall be entitled to be registered under this Act and being so registered to receive a
registration certificate if-

      *(a)*he has attended a course of training approved by the Board under section 11 of
this Act;

      *(b)*the course was conducted at an institution so approved, or partly at one of such
institution and partly at another;

      *(c)*he holds one or more qualifications prescribed in the Third Schedule to this
Act for the purpose of registration on the register and has complied with the
other requirements prescribed under section 7 (2) of this Act;

[Third Schedule.]

      *(d)*he has undergone internship of twelve calendar months in an approved clinical
setting other than the institution of training; and

                                *(e)*he thereafter pays any prescribed fees.

(2) Subject to section 26 of this Act and to rules made under section 7 (2) hereof, a
person shall also be entitled to be registered under this Act and being so registered to re-
ceive a registration certificate if he satisfies the Board-

      *(a)*that he holds a qualification granted outside Nigeria for the time being ac-
cepted by the Board for the purposes of this subsection as respects the profes-
sion;

                               *(b)*that in the country in which the qualification was granted he was under no le-

       gal disability in the practice of the profession;

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

                               (d)              he thereafter pays any prescribed fees.

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

(4) The qualifications specified in the Third Schedule to this Act are those accepted
for the time being by the Board as the minimum qualifications for the purpose of regis-
tration on the register maintained under section 7 of this Act.

[Third Schedule.]

 (5) Subject to section 26 of this Act and to rules made under section 7 (2) hereof, a
person shall be entitled to be temporarily registered under this Act in cases specified in
section 10 of this Act.

**10. Temporary registration**

(1) Where a person satisfies the Board-

      *(a)*that he has been selected for employment for a specified period 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)*that he holds or has passed examinations necessary for obtaining some qualifi-
cation granted outside Nigeria which is for the time being accepted by the
Board for the purposes of this section as respects the capacity in which, if em-
ployed, he is to serve; and

                               *(c)*he pays any fees prescribed for registration,

the Board may, if it thinks fit, give a direction that he shall be temporarily registered.

(2) The temporary registration of a person shall continue only while he is in such
employment as is mentioned in subsection (1) *(a)*of this section and shall cease-

      *(a)*on the termination of the period of employment specified to the Board under
that subsection; or

                                *(b)*on the termination of the said employment before the end of that period,

whichever first occurs.

(3) Nothing in subsection (2) of this section shall preclude the Board from giving a
further direction under subsection (1) of this section in respect of a speci fied period
whose commencement coincides with the termination of another such period.

(4) A person who is temporarily registered shall, in relation to his employment men-
tioned under subsection (1) *(a)*of this section and to things done or omitted to be done in
the course of that employment, be deemed to be fully registered but in respect of other
matters he shall be treated as not so registered.

(5) In the case of doubt as to whether a person's employment has been terminated,
the decision of the Board shall be conclusi ve for the purposes of subsection (2) of this
section.

(6) The registrar, as directed from time to time by the Board, shall remove from the
register the name of any person ceasing to be entitled to the benefit of this section.

*Training*

**11. Approved courses**

(1) Subject to subsection (2) of this section, the Board may approve for the purpose
of section 7 of this Act-

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

      *(b)*any institution either in Nigeria or elsewhere, which the Board considers is
properly organised and equipped for conducting the whole or any part of the
course of training approved by the Board under this section; or

      *(c)*any qualification which as a result of examination taken in conjunction with
the course of training approved by the Board under this section, is granted to
candidates reaching a standard at the examination indicating, in the opinion of
the Board, that they have sufficient knowledge and skill to practise the profes-
sion to which the qualification relates.

(2) The Board shall from time to time publish in the Federal *Gazette*a list of qualifi-
cations relating to the profession approved by it for the purposes of subsection (1) of this
section.

(3) The Board may, if it thinks fit, withdraw any approval given under this section in
respect of any course, qualification or institution but before withdrawing such an ap-
proval the Board shall-

      *(a)*give notice that it proposes to do so to persons in Nigeria appearing to the
Board to be persons by whom the course is conducted or the qualification is
granted or the institution is controlled, as the case may be;

      *(b)*afford each person an opportunity of making to the Board representations with
regard to the proposal; and

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

(4) As respects any period during which the approval of the Board under this section
for a course, institution or qualification is withdrawn, the course, institution or qualifica-
tion shall not be treated as approved under this section, but the withdrawal of such an
approval shall not prejudice the registration or eligibility of any person who by virtue of
the approval was registered or eligible for registration immediately before the approval
was withdrawn.

(5) The giving or withdrawal of an approval under this section shall have effect from
such date, after the execution of the instrument signifying the giving or withdrawal of the
approval as the Board may specify in that instrument, and the Board shall-

      *(a)*as soon as may be, publish a copy of every instrument in the Federal *Gazette;*
and

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

**12. Supervision of instruction and examinations leading to approved qualifications**
(1) It shall be the duty of the Board to keep itself 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 purpose of performing that duty, the Board may appoint, either from among
its own members or otherwise, persons to visit approved institutions or attend such ex-
aminations.

(2) It shall be the duty of a Visitor appointed under this section to report to the Board
on-

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

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

      *(c)*any other matter relating to the institutions or examinations on which the
Board may, either generally or in a particular case, request him to report,

but no Visitor shall interfere with the giving of any instruction or the holding of any ex-
amination.

(3) On receiving a report made in pursuance of this section, the Board shall as soon
as may be, send a copy of the report to the person appearing to the Board to be in charge
of the institution or responsible for the examinations to which the report relates not being
more than one month beginning with the date of the request.

**13. Power of the Board to consider matters relating to training**

(1) The Board may consider and if it thinks fit, report to the Minister upon all matters
relating to the professional and technical training and other qualifications required for
admission to the profession under this Act and the conditions of practice after registra-
tion.

(2) The Minister may require the Board to advise him on any matter referred to in
subsection (1) of this section.

*Privileges of registered persons and offences by unregistered persons*

**14. Certificate invalid if given by unregistered person**

A certificate required by any written law from any class of persons for whom a regis-
ter is maintained under this Act shall not be valid unless the person signing it is registered
in accordance with this Act.

**15. Appointment not to be held by unregistered person**

(1) Subject to the provisions of this Act, no person, not being registered on the regis-
ter, shall be entitled to hold any appointment in the public or private establishment, body
or institution, if the holding of such appointment involves the performance by him in Ni-
geria of any duty pertaining to the relevant profession for gain.

(2) Nothing in this section or in any other provisions of this Act shall prevent a per-
son from holding any appointment referred to in subsection (1) of this section while he is
undergoing training for the purpose of becoming qualified for registration under this Act
under the supervision of persons who are registered on the appropriate register.

**16. Prohibition of falsely professing to be a registered person**

Any person, not being registered on the register established under section 7 of this
Act, who holds himself out to be so registered or uses any name, title, description or
symbol calculated to lead any person to infer that he is so registered, shall be guilty of an
offence and liable on conviction for a first offence to a fine of not less than one hundred
naira and not more than two hundred naira or to imprisonment for a term of six months or
to both such tine and imprisonment and on conviction for a second or any subsequent
offence to imprisonment for a term of not less than one year and not more than three
years.

**17. Recovery of fees**

No remuneration shall be recoverable by legal proceedings in respect of any act per-
taining to the profession of a registered person when performed by a person who is pro-
hibited from performing such act for gain.

**18. Miscellaneous supplementary provisions**

(1) If any person for the purpose of procuring the registration of any name, qualifica-
tion or other matter-

      *(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,

he shall be guilty of an offence.

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

(3) A person guilty of an offence under this section shall be liable on conviction in a
High Court, to a fine not exceeding one thousand naira or to imprisonment for a term not
exceeding two years, or to both such tine and imprisonment.

(4) When an offence under this Act which has been committed by a body corporate is
proved to have been committed with the connivance or to be attributable to any neglect
on the part of any director, manager, secretary or other similar officer of the body corpo-
rate or any person purporting to act in any such capacity, he as well as the body corporate
shall be deemed to be guilty of that offence and shall be liable to be prosecuted and pun-
ished accordingly.

**19. Burden of proof**

In any criminal proceedings against any person upon a charge of having performed an
act which constitutes an offence if performed by an unregistered person, the person
charged shall be deemed to be unregistered unless he proves the contrary,

*Discipline*

**20. Establishment of the Disciplinary Committee and the Investigating** **Panel**

(1) There shall be established a Disciplinary Committee 10 be known as the Medical
Rehabilitation Therapists Practitioners Disciplinary Committee (in this Act referred to as

"the Disciplinary Committee") which shall be charged with the duty of considering and
determining any case referred to it by the Panel established by the following provisions of
this Act.

(2) The Disciplinary Committee shall consist of the chairman of the Board and six
other members of the Board to include members holding office by virtue of para-
graphs *(b), (c)*and *(d)*of subsection (1) of section 2 of this Act.

(3) There shall be established a body to be known as the Medical Rehabilitation
Therapists Investigating Panel (in the Act referred to as "the Investigating Panel") which
shall be charged with the duty of-

      *(a)*conducting preliminary investigation into any case where it is alleged that a
registered person has misbehaved in his capacity as such, or should for any
other reason be the subject of proceedings before the Disciplinary Committee;
and

                               *(b)*deciding whether the case should be referred to the Disciplinary Committee.

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

Provided that a member of the Disciplinary Committee shall not be a member of
the Investigating Panel.

(5) The provisions of the Second Schedule to this Act shall so far as applicable to the
Disciplinary Committee and the Investigating Panel respectively have effect with respect
to those bodies.

[Second Schedule.]

**21. Proceedings of the Disciplinary** **Committee**

(1) At any meeting of the Disciplinary Committee three members shall form a quo-
rum.

(2) The chairman shall preside at any meeting of the Disciplinary Committee.

(3) Any question proposed for decision by the Disciplinary Committee shall be de-
termined by the majority of the members present and voting at a meeting of the Discipli-
nary Committee at which a quorum is present.

(4) At all meetings of the Disciplinary Committee each member present shall have
one vote on a question proposed for decision by the Disciplinary Committee and, in the
event of an equality of votes, the chairman shall have, in addition to a deliberate vote, a
casting vote.

**22. Penalties for unprofessional conduct**

(1) Where-

      *(a)*a person registered under this Act is convicted by any court or tribunal in Ni-
geria or elsewhere having power to award punishment for an offence (whether
or not an offence punishable with imprisonment) which in the opinion of the
Disciplinary Committee is incompatible with the status of such professional; or

      *(b)*a registered person is judged by the Disciplinary Committee to be guilty of
infamous conduct in a professional respect; or

      *(c)*the Disciplinary Committee is satisfied that the name of any person has been
fraudulently registered,

the Disciplinary Committee may give any of the directions mentioned in subsection (2) of
this section.

(2) The Disciplinary Committee may give a direction under subsection (I) of this
section-

      *(a)*ordering the registrar to strike off the person's name from the relevant part of
the register;

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

                               *(c)*reprimanding him;

      *(d)*ordering such person to pay to the Board any costs of and incidental to the pro-
ceedings incurred by the Board; or

      *(e)*cautioning such person and postponing for a period not exceeding one year any
further action against him on one or more conditions as to his conduct during
that period,

and any such direction may, where appropriate, include provision requiring the refund of
moneys paid or the handing over of documents or any other thing as the case may re-
quire.

(3) In any inquiry under this section, any finding of fact which is shown to have been
made in-

      *(a)*any criminal proceedings in a court in Nigeria; or

      *(b)*any civil proceedings in a court in Nigeria,

shall be conclusive evidence of the fact found.

(4) If after due inquiry, the Disciplinary Committee is satisfied that during the period
of any postponement under paragraph *(e)*of subsection (2) of this section, a person has
not complied with the conditions imposed thereunder, the Disciplinary Committee may,
if it thinks fit, impose anyone or more of the penalties mentioned in paragraph *(a), (b),*
*(c),*or *(d)*of that subsection.

(5) A certificate under the hand of the chairman that any costs have been ordered to
be paid by a person under this section shall be conclusive evidence thereof.

**23. Restoration of registration**

(1) Where the name of a person has been struck off from the register in pursuance of
a direction given under section 22 of this Act, the Disciplinary Committee may, if it
thinks fit, at any time direct the restoration of the name of such person to the register.

(2) An application for the restoration of a name to a register under subsection (I) of
this section, shall not be made to the Disciplinary Committee before the expiration of

such period from the date of the striking off of the name, and where he has made such an
application, from the date of his last application, as may be specified in the direction.

(3) There shall be payable to the Board by any person on the restoration of his name
to a register in pursuance of a direction given under this section the like as would be pay-
able by that person on first becoming registered on that register.

**24. Striking off entries from the register on grounds of fraud or error**

(1) If it is proved to the satisfaction of the Disciplinary Committee that any entry
made in a register has been fraudulently or incorrectly made, the Disciplinary Committee
may direct that the entry shall be struck off from the register.

(2) A person may be registered in pursuance of any provisions of this Act notwith-
standing that his name had been struck off in pursuance of a direction given under sub-
section (1) of this section, but if it was so struck off on the ground of fraud, he shall not
be registered except an application in that behalf is made to the Disciplinary Committee;
and on any such application, the Disciplinary Committee may, if it thinks fit, direct that
he shall not be registered or shall not be registered until the expiration of such period as
may be specified in the direction.

(3) Any reference in this Act to the striking off from or the restoration to a register of
the name of a person shall be construed as including a reference to the striking off from
or the restoration to the register of any other registrable particulars relating to that person.

**25. Appeal to the Court of Appeal**

(1) Where the Disciplinary Committee-

      *(a)*makes a finding and imposes a penalty on a registered person under section 22
of this Act; or

      *(b)*rejects an application for restoration of a name to a register under section 23 of
this Act; or

                                *(c)*directs that an entry should be struck off from a register under section 24 (1) of

     this Act,

the registrar shall give the person to whom the proceedings relate notice in writing
thereof and such person may, within twenty-eight days from the date of service on him of
the notice, appeal to the Court of Appeal.

(2) On any appeal under this section, the Board shall be the respondent.

(3) No direction for the striking off of the name of a registered person from a register
under sections 22 and 24 of this Act shall take effect until the expiration of the time for
appealing or if any appeal is brought, until such time as the appeal is disposed of, with-
drawn or struck out for want of prosecution, as the case may be.

(4) The Court of Appeal may, on an appeal under this section-

      *(a)*confirm, vary or set aside any finding of fact, penalty imposed or direction
given by the Disciplinary Committee;

      *(b)*confirm the rejection of the Disciplinary Committee of the application for res-
toration or direct the restoration of the name to the register;

                                *(c)*remit the matter to the Disciplinary Committee for further consideration; or

                                *(d)*make such other order as to costs or otherwise as may be deemed just,

but no proceedings before the Disciplinary Committee shall be set aside by reason only of
informality in those proceedings which did not embarrass or prejudice the appellant.

*Supplementary*

**26. Regulations, etc.**

Any power to make regulations, rules or orders conferred under this Act shall include
power to make-

      *(a)*provisions for such incidental and supplementary matters as the authority mak-
ing the instrument considers expedient for the purposes of the instrument; and

                                 *(b)*different provisions for different circumstances.

**27. Interpretation**

In this Act, unless the context otherwise requires-

**"accepted qualification"**means a degree, diploma or other certificate prescribed un-
der section 9 of this Act;

**"Board"** means the Board set up in respect of the professions of physiotherapy, chiro-
praetor, occupational therapy, osteopathy and speech therapy;

**"medical rehabilitation therapist"**means any member of the profession;

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

**"profession**" means the physiotherapy, chiropractor, occupational therapy, osteo-
pathy or speech therapy profession;

**"register"** means a register maintained under this Act and "registered" shall be con-
strued accordingl y;

**"registrar"** means the registrar of the Board appointed under section 6 of this Act;

**"registration certificate"** means a registration certi ficate issued under section 9 of
this Act;

**"student"** means a person, receiving basic training in any of the professions covered
by this Act in an approved training institution.

**28. Short title**

This Act may be cited as the Medical Rehabilitation Therapists (Registration, etc.)
Act.

SCHEDULES

FIRST SCHEDULE
[Section 2 (3).]

*Membership of the Board, etc.*

1. (1) A person other than a person appointed under section 2 (1) *(d), (f), (g), (h)*and (i) of
this Act shall not be a member of the Board unless he is a citizen of Nigeria fully registered
(or in the case of the first members of the Board, is eligible for registration) as a member of
the profession.

(2) Where a member of the Board ceases to hold office before the date when his term of
office would have expired by the effluxion of time, the body or person by whom he was ap-
pointed or elected shall as soon as may be, appoint or, as the case may be, elect a person to fill
the vacancy for the residue of the term aforesaid, so however that the foregoing provisions of
this sub-paragraph shall not apply where a person holding office as a member of the Board
ceases to hold office at a time when the residue of his term does not exceed one year.

2. (1) Subject to the provisions of this paragraph, a member of the Board, other than a public
officer shall hold office for a period of three years from the date of his appointment and shall
be eligible for reappointment for a further period of three years.

(2) A member of the Board other than a public officer, may resign his appointment by a
letter addressed to the Minister and the resignation shall take effect from the date of the re-
ceipt of the letter by the Minister.

(3) The Minister may appoint any person who is a registered member of the relevant
profession to be a temporary member during a long absence or the temporary incapacity from
illness of any member; and that person, may while the appointment subsists, exercise the
functions of a member under this Act.

(4) The foregoing provisions of this section shall be without prejudice to the provisions
of section 11 of the Interpretation Act which relates to appointments.

[Cap. I23.]

*Powers of the Board*

3. (1) Subject to the following sub-paragraph and to any directions of the Minister under this
Act, the Board shall have powers to do anything which in its opinion is calculated to facilitate
the carrying on of its activities.

(2) The Board shall not have power to borrow money or to dispose of any property ex-
cept with the prior consent of the Minister and shall not have power to pay remuneration (in-
cluding pensions), allowances or expenses to any employee of the Board or to any other per-
son except in accordance with scales approved by the Minister.

*Proceedings of the Board*

4. Subject to the provisions of this Act and of section 26 of the Interpretation Act (which
provides for decisions of a body to be taken by a majority of the members of the body and for
the chairman to have a second or casting vote), the Board may make standing orders regulat-
ing the proceedings of the Board or of any committee thereof or elect a temporary vice-
chairman in the absence of the chairman for the conduct of affairs of the Board.

[Cap. 123.]

5. The quorum of the Board shall be five and quorum of any committee of the Board shall be
determined by the Board.

6. At any time while the office of the chairman is vacant or the chairman is in the opinion of
the Board temporarily unable to perform the functions of his office, the vice-chairman shall

perform those functions and reference in this Schedule to the chairman shall be construed
accordingly.

7. (1) Subject to the provisions of any applicable standing orders, the Board shall meet
whenever summoned by the chairman; and if the chairman is required so to do by notice given
to him by not less than six other members, he shall summon a meeting of the Board to be held
within twenty-one days from the date on which the notice is given.

(2) At any meeting of the Board, the chairman or in his absence, the vice-chairman shall
preside but if both are absent the members present at the meeting shall appoint one of their
number to preside at that meeting.

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

(4) Notwithstanding anything to the contrary, the first meeting of the Board shall be
summoned by the Minister who may give such directions as to the procedure to be followed at
that meeting as he may deem fit.

*Committees*

8. (1) The Board may appoint one or more committees to carry out, on behalf of the Board,
such of its functions as the Board may determine.

(2) A committee appointed under this paragraph, shall consist of the number of persons
determined by the Board and not more than one-third of those persons may be persons who
are not members of the Board; and a person other than a member of the Board shall hold of-
rice on the committee in accordance with the terms of the instrument by which he is ap-
pointed.

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

*Miscellaneous*

**9.**(1) The fixing of the seal of the Board shall be authenticated by the signature of the
chairman or of some other member authorised generally or specially by the Board 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
Board by any person generally or specially authorised to act for that purpose by the Board.

SECOND SCHEDULE
[Section 20 (5)

*Supplementary provisions relating to the Disciplinary Committee
and the Investigating Panel*

*The Disciplinary Committee*

1. (1) The Chief Justice of Nigeria shall make rules as to the procedure to be followed and
the rules of evidence to be observed in proceedings before the Disciplinary Committee.

 (2) The rules shall in particular provide-

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

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

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

                *(d)*for enabling any party to the proceedings to be represented by a legal practitio-
ner;

                *(e)*subject to the provisions of section 22 (2) *(d)*of this Act as to the costs of pro-
ceedings before the Disciplinary Committee;

                *(f)*for requiring, in a case where it is alleged that the person who is the subject of
the proceedings is guilty of infamous conduct in any professional respect, that
where the Disciplinary Committee judges 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 matter to which the allegation relates;

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

2. (1) For the purpose of advising the Disciplinary Committee on questions of law arising in
proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary
Committee who shall be appointed by the Board on the recommendation of the Attorney-
General of the Federation and shall be a legal practitioner of not less than seven years stand-
ing.

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

                *(a)*that 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 person representing a party to the
proceedings who appears thereat or, if the advice is tendered while the Disci-
plinary Committee is deliberating in private, that every such party or person as
aforesaid shall be informed as to what advice the assessor has tendered;

                *(b)*that every party or person as aforesaid shall be informed if in any case the Dis-
ciplinary Committee does not accept the advice of the assessor on such a ques-
tion as aforesaid.

(3) Any assessor may be appointed under this paragraph either generally or for any par-
ticular proceedings or class of proceedings, and shall hold and vacate office in accordance
with the terms of instrument by which he is appointed.

*The Investigating Panel*

1. The quorum of the Panel shall be three.
2. (1) The Panel may, at any meeting of the Investigating Panel attended by not less than
four members of the Investigating Panel, make standing orders, with respect to the Panel.

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

5. A person ceasing to be a member of the Disciplinary Committee or the Investigating Panel
shall be eligible for re-appointment as a member of that body.

6. The Disciplinary Committee or Investigating Panel may act notwithstanding any vacancy
in its membership and the proceedings of either body shall not be invalidated by any irregu-
larity in the appointment of a member of that body or subject to section 20 (4) of this Act by
reason of the fact that any person who was not entitled to do so took part in the proceedings of
that body.

7. The Disciplinary Committee and the Investigating Panel may each sit in two or more
places.

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

9. Any expenses of the Disciplinary Committee or the Investigating Panel shall be defrayed
by the Board.

THIRD SCHEDULE
[Section 9 (4).]

*Accepted minimum qualification for the purpose of registration*
*on the register established under this Act*

A degree, diploma or equivalent qualification in Medical Rehabilitation Therapy or in
the relevant profession.

MEDICAL REHABILITATION THERAPISTS (REGISTRATION, ETC.) ACT

SUBSIDIARY LEGISLATION