

# A BILL

FOR

AN ACT TO ESTABLISH PUBLIC HEALTH PRACTITIONERS COUNCIL OF NIGERIA CHARGED WITH RESPONSIBILITY OF ADVANCING THE STUDY, TRAINING AND PRACTICE OF PUBLIC HEALTH MANAGEMENT AND ADMINISTRATION IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Muhammad Ali Wudil*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria as follows:

1 PART 1 - ESTABLISHMENT OF THE PUBLIC HEALTH PRACTITIONERS  
2 COUNCIL OF NIGERIA

3 1.-(1) There is established a Public health practitioners Council of  
4 Nigeria (hereinafter in this Bill referred to as ("The Council").

Establishment  
of the Public Health  
Practitioners Council

5 (2) The Council:

6 (a) Shall be a body corporate with perpetual succession;

7 (b) May acquire, hold and dispose of real and personal property;

8 (c) May sue or be sued in its corporate name;

9 (d) Shall have a common seal which shall be kept in such custody  
10 of the council

11 2. -(a) Determine the standard of knowledge and skills attained by  
12 person seeking to become members of the council and improve those  
13 standards from time to time;

Functions of the  
Council

14 (b) To expose the members of the council with the recent scientific  
15 development in the Public health science by holding periodical  
16 presentations and seminars, Workshops refresher courses, orientation  
17 courses and regular exposure by Journals, publications and discussions;

18 (c) To expose the members with world-class technological  
19 advancement in the field of Public health science and their operations;

- 1 (d) Secure a register of members of the council;
- 2 (e) To encourage research in the Public health science by exposing the
- 3 members with recent research development in premier research councils;
- 4 (f) To organize Public campaigns to spread awareness about disease
- 5 and common Household health care system and encourage the NGOs to
- 6 participate in such initiatives;
- 7 (g) To publish journals and papers for the mass Awareness of several
- 8 healthy hazards development in the field of paramedical science and
- 9 disseminate its benefits.

Power of the  
Council

10 3. The council has power to do all things necessary and convenient to

11 be done in connection with the performance of its functions and in particular

12 may:

- 13 (a) Enter into contracts;
- 14 (b) Charge fees for its services;
- 15 (c) Make penal regulations
- 16 (i) MEMBERSHIP OF THE COUNCIL:

17 Subject to the provisions of this Act, persons admitted to membership of the

18 council shall be registered as members in the following categories:

- 19 (a) Associate Members;
- 20 (b) Full Members;
- 21 (c) Fellow Members.

22 (i) ASSOCIATE MEMBER:

23 (a) A person shall be entitled to be registered as an Associate member

24 during the period of training or mentoring in Public Health Practice;

25 (b). The training or mentoring programme must be at least a minimum

26 of 3 years of intensive practical exposure to all areas of public health practice;

27 (c) Full membership examination to be conducted by the council. A

28 successful associate member shall then become a full member

29 (ii) FULL MEMBERS

30 (a) A person shall be entitled to be registered as a full member after

- 1 undergoing training in Public Health recognized by the council;
- 2 (b) The programme must be at least a year of public health courses  
3 of study taken at a stretch;
- 4 (c) A person who has acquired skill and expertise in public Health  
5 practice for a period not less than 3 years (exception is given to those in  
6 practice 3 years prior to this Act).
- 7 (iii) FELLOW MEMBERS
- 8 (a) Qualified Practitioners shall apply to be considered for  
9 fellowship based on the criteria to be set by the privileges and ethics  
10 committee;
- 11 (b) The full professional designatory letters of the different  
12 categories of members shall be:
- 13 (i) Fellow Public Health FPH;  
14 (ii) Member Public Health MPH;  
15 (iii) Associate Public Health APH
- 16 4.-(1) The shall be for the council a governing body to be known as  
17 a "Board" which shall have responsibility for the administration and general  
18 management of the council.
- 19 (2) The council establish pursuant to subsection 1 of this section  
20 shall consist of the following members that is:
- 21 (a) The chairman, elected by council members among themselves;  
22 (b) A vice chairman elected by council members among  
23 themselves;
- 24 (c) Two person nominated by the minister of health;  
25 (d) Six person elected by the council;  
26 (e) Registrar;
- 27 (f) An Immediate past chairman of the council who entitled to serve  
28 for a further maximum period of three years from the expiration of his tenure  
29 as chairman.
- 30 (2) The chairman and Vice shall hold office for a term of two (2)

1 from the date of his elections.

2 (3) The chairman shall preside at meetings of the council and in his  
3 absence, the vice chairman shall preside

Schedule

4 (4) The provisions set out in the schedule on this Bill shall have effect  
5 with respect to operation, qualification, tenure of office of members of the  
6 council and other matters therein mentioned.

7 PART 2 - APPOINTMENT AND DUTIES OF THE REGISTRAR

8 5.-(1) The council shall appoint a fit and proper person to the  
9 Registrar of the council.

10 (2) The registrar appointed in terms of subsection (1) of this section  
11 shall be head of the administration of the council and secretary to the Board.

12 (3) Subject to the following provisions of this subsection, the council  
13 may make rules with respect to the form and keeping of the Register and  
14 making of entries and therein particular:

15 (a) The making of applications for enrolment or registration, as the  
16 case may be:

17 (b) Providing for notification to the Registrar by the person to whom  
18 any registered particulars related of any change in those particulars;

19 (c) Authorizing a registered person to have any qualification, which is  
20 in relation to the relevant discipline of the profession, administration, either an  
21 approved qualification or an accepted qualification for the purpose of this Act;

22 (d) Specifying from time to time the fee including subscription to be  
23 paid to the Council in respect of the entry of names on the Register authorizing  
24 the Registrar to refuse to enter a name on the Register until the fee specified for  
25 the entry has been paid; and

26 (e) Specifying anything failing to be specified under this section, but  
27 rules made for the purses of paragraph (d) of this subsection shall not come into  
28 force until they are confirmed at a special meeting of the council as the case  
29 may be.

30 (4) The Register shall:

1 (a) Correct, in accordance with the Board's directives, any entry in  
2 the Register which the council direct him to correct as being in the Board's  
3 opinion an entry which was incorrectly made;

4 (b) Remove from the Register the name of any Registers person  
5 who has dies;

6 (c) Record the names of the members of the Council who are in  
7 default in the payment of annual subscriptions, dues or other charges for  
8 more than twelve months, and take such action in relation thereto (including  
9 removal or the names of the defaulters from the Register) as the Board  
10 meeting determine or direct; and

11 (d) Make from time to time any necessary alterations in the  
12 registered particulars of registered persons"

13 (5) If the Registrar:

14 (a) Sends by post to any registered person a letter addressed to him  
15 at his address on the Registered enquiring whether the registered particular  
16 relating to him are correct and receives no reply to the letter within the period  
17 of six month from the date of posting; and

18 (b) Upon the expiration of the period specified in paragraph (a) of  
19 the subscription send in like manner to the person in question a second  
20 similar letter and received no reply the letter within three month from the  
21 date of posting it, then the registrar, may remove the particulars relating to  
22 the person in question from the Register, and the Council may direct the  
23 Registrar to restore to the appropriate part of the Registrar an particulars  
24 removed there from under this subsection.

25 6.-(1) The Registrar shall be:

26 (a) Cause the Register to be printed, published and put on sale to  
27 members of the public not later than two years from the commencement of  
28 this Act;

29 (b) Thereafter in each year to cause to be printed, published and put

1 on sale as aforesaid, a corrected edition of the Register since it was last printed;  
2 and

3 (c) Cause a print of each edition of the registers and of each list of  
4 correction to be deposited at the principal offices of the council, and the  
5 Council shall keep the register and the list so deposited available at all  
6 reasonable time for inspection by members of the council.

Other Staff

7 7.-(1) The Council may, on the recommendation of the Registrar  
8 appoint such other staff as it may consider necessary to assist the Registrar in  
9 the discharge of his duties.

10 (2) The employment of the Registrar and other staff shall be  
11 pensionable in accordance with the terms and conditions of service in the  
12 Federal Government of Nigeria.

13 PART 3 - REGISTRATION OF MEMBERSHIP

Qualification  
for Membership

14 8.-(1) A person shall be entitled to be registered as a member of the  
15 council if:

16 (a) He passes the qualifying professional examination conducted by  
17 the Council and completes the practical training prescribed; or

18 (b) He holds a qualification accepted by the council as sufficient  
19 practical experience by paramedical practitioner council of Nigeria or

20 (c) He holds a qualification granted outside Nigeria which recognized  
21 by the Council and he is by law entitled to practice the profession for all  
22 purpose in the country in which the qualification was granted.

23 (2) An applicant for registration shall in addition to evidence or  
24 qualification, satisfy the council that:

25 (a) He is good character;

26 (b) He had attained the age of eighteen years and

27 (c) He has not been convicted in Nigeria or elsewhere of an offence  
28 involving dishonesty.

29 (3) The Council may, provisionally accept a qualification produced in  
30 respect of an application for registration under this section, or direct that the

1 Application be renewed within such period as may be specified in the  
2 direction.

3 (4) An entry made under subsection (3) shall show that the  
4 registration is provisional and such entry may only be converted to full  
5 registration with the Consent of the Council, signified in writing.

6 The Chairman and Registrar shall be the joint signatory to  
7 certificates awarded by the Council. Signatory to  
certificates

#### 8 PART 4 - FUND FOR THE COUNCIL

9 9.-(1) The council shall establish and maintain a fund, to be applied  
10 towards function of the Council.

11 (2) The council shall not later than 15th September in each financial  
12 year or soon thereafter submit to the Council for approval, its estimate of  
13 revenue and expenditure in respect of the following year.

14 (3) The Council may invest moneys in the fund in any security  
15 created or issued or on behalf of the Government of the Federal Republic of  
16 Nigeria or in any other security in Nigeria approved by the Council:

17 (i) The council may from time to time, reasonably borrow money  
18 for purposes. of the Council;

19 (ii) all fees, and other monies payable to the Council;

20 (iii) all grants, aids and solicited funds received for the Council;

21 (iv) Proceeds from programme and activities

22 10. There shall be defrayed from the fund the following: Expenditure

23 (a) The remuneration and allowances of the Registrar and other  
24 employees of the Council;

25 (b) Such reasonable travelling allowances (as determined by the  
26 Council and its Committee) incurred in the business or official functions of  
27 the Council;

28 (c) Any expense incurred by the Council in the discharge of its  
29 duties Auditing Of Accounts:

30 (1) The Council shall keep proper records of the annual accounts of

1 the council in each financial year.

2 (2) The accounts of the Council shall be audited within six months  
3 after the end of each financial year by auditors appointed by the Council. The  
4 fees of the auditors and the expenses of audit shall be paid from the fund of the  
5 Council.

6 (3) The audited annual accounts and report shall be submitted by the  
7 Council to the members of the council at the AGM.

8 PART 5 - PROFESSIONAL DISCIPLINE

Investigating  
Panel

9 11. There shall be an Investigating panel, consisting of three members  
10 and two non-members of the Council all to be appointed by the Council  
11 charged with duty of:

12 (a) Conducting preliminary investigation into allegations that a  
13 registered member has misconduct himself in his capacity as a registered  
14 member; and

15 (b) Deciding whether the allegations should be referred to the  
16 disciplinary committee or not.

Disciplinary  
Committee

17 12. There shall be a Disciplinary Committee consisting of six (6)  
18 members one of whom shall be the Chairman appointed by the Council,  
19 charged with the duty of investigating and determine any case referred to it by  
20 the Investigating Panel.

Penalties for  
unprofessional  
conduct

21 13.-(1) Where:

22 (a) A registered person is, adjudged by the disciplinary Committee to  
23 be guilty of infamous conduct in any professional respect; or

24 (b) A registered person is convicted, in Nigeria or elsewhere by any  
25 court of competent jurisdiction; or

26 (c) The Disciplinary Committee determines that the name of any  
27 person has been fraudulently registered.

28 (2) The Disciplinary Committee may give a direction reprimanding  
29 that person or ordering the Registrar to strike the person's name out of the  
30 relevant Part of the Register.



1 (3) Disciplinary Committee may, defer or further defer its decision  
2 as to the giving of a direction under subsection two (2) until a subsequent  
3 meeting of the Disciplinary Committee.

4 (4) The Disciplinary Committee may not defer its decision under  
5 subsection (3) for periods exceeding one year.

6 (5) When the Disciplinary Committee gives a direction under  
7 subsection (2) the Disciplinary Committee shall cause notice of the  
8 direction to be served on the person to whom it relates.

9 (6) The person to whom a direction under subsection (2) relates  
10 may, at any time within twenty-five days from the date of service on him,  
11 appeal against the direction to the Federal High Court.

12 (7) A person whose name is removed from the register pursuant to a  
13 direction of the Disciplinary Committee, may not be registered again except  
14 pursuant to a direction in that respect given by the Disciplinary committee  
15 on the application of that person.

16 (8) A direction for the removal of a person's name from the  
17 register, may prohibit an application under subsection by that person until  
18 the expiration of such period from the date of the direction.

19 PART 6 - OFFENCES AND PENALTIES

20 14.-(1) A person commits an offence who:

Offences and  
Penalties

21 (a) Holds himself out as a paramedical practitioners;

22 (b) Willfully makes falsification in any matter relating to the  
23 register.

24 (2) A person who is found guilty of an offence under this section is  
25 liable on-

26 (a) Summary conviction, to a fine of an amount not exceeding  
27 N5,000 or imprisonment for a term not exceeding two years, or both.

28 15.-(1) Notwithstanding anything to the contrary contained in any  
29 other enactment, no suit against the Council, a member or any employee of  
30 the Council for any act done in pursuance or execution of any enactment or

Limitation of  
suits against the  
Council and its  
staff

1 law, or of any public duty or authority, or in respect of an alleged negligence or  
2 default in the execution of such enactment or law, duty or authority, shall lie or  
3 be instituted in any court unless it is commenced within 12 months next after  
4 the act or neglect complained of or in the case of a continuing damage or injury,  
5 within 12 months next after the ceasing thereof.

6 (2) No suit shall be commenced against the Council before the  
7 expiration of a period of one month notice of intention to commence the suit  
8 shall have been served upon the Council by the intending plaintiff or his  
9 authorized agent and the notice shall clearly and explicitly state:

10 (a) The cause of action;

11 (b) The particulars of the claim;

12 (c) The name and place of abode of the intending plaintiff; and

13 (d) The relief which he claims.

14 (3) The notice referred to in subsections (1) and (2) of this section and  
15 any summons, notice or other document required or authorized to be served  
16 upon the Council under the provisions of this Bill or any other enactment or law  
17 may be served by delivering the same to the chairman, chairman, Governing  
18 Councilor the Registrar of the Council and by sending it by registered post to  
19 the principal office of the Council.

Interpretation

20 16. In this Bill unless the context otherwise requires:

21 "Public" means Not Private; open to or concerning the people as a whole;

22 "Health" means a Healthy State of Wellbeing free from disease;

23 "Practitioner" means someone who practices a learned profession;

24 "Registered" means enrolled;

25 "Incorporate Council" means the paramedical practitioners council of Nigeria  
26 incorporated under the companies and Allied matters Act 2004;

27 "Minister" means the minister charged with the responsibility for matters  
28 relating to Health;

29 "Council" mean paramedical practitioner councils of Nigeria;

30 "Board" Means established as the governing body of the Council;



1 number of standing or Ad-Hoc Committees as it thinks fit to consider and  
2 report on any matter with which the Council is concerned.

3 6. Every Committee appointed under the provision of subparagraph  
4 of this paragraph, shall be presided over by a member of the council and shall  
5 be made up of a number of persons, not necessarily members of the council as  
6 the council may determine in each case.

7 7. The decision of the Committee shall have no effect until it is  
8 confirmed by the Council.

9 *Miscellaneous*

10 8. The fixing of the seal to the Council shall be authenticated by the  
11 signature of the chairman and Registrar of the Council.

12 9. Any contract or instrument, which if made by a person not a body  
13 corporate, would not be required to be made under seal, may be made or  
14 executed on behalf of the Council by the Registrar or by any other person  
15 generally or specifically authorized by the council to act for that purpose.

16 10. Any document purporting to be a contract, instrument or other  
17 document signed or sealed on behalf of the Council shall be received in  
18 evidence and, unless the contract is proved, be presumed, without further proof  
19 to have been so signed or sealed.

20 11.-(1)The validity of any proceedings of Council or a Committee  
21 thereof, shall or be adversely affected.

22 (2) By any vacancy in the membership of the Council; or

23 (3) By any defect in the appointment of a member of the Council or  
24 Committee; or

25 (4) By reason that a person not entitled to do so, took part in the  
26 proceedings.

27 12. Any member of the Council or a Committee thereof, who has a  
28 personal interest in any contract or arrangement entered into or proposed to be  
29 considered by the Council or Committee shall forthwith disclose his interest to  
30 the Council or Committee and shall not vote on any question relating to the  
contract or arrangement.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish Public Health Practitioners Council of Nigeria charged with responsibility of advancing the study, training and practice of Public Health Management and Administration in Nigeria.

