

CHARTERED INSTITUTE OF HEALTH INSURANCE AND MANAGED CARE  
OF NIGERIA (ESTABLISHMENT) BILL, 2020

ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF HEALTH  
INSURANCE AND MANAGED CARE OF NIGERIA

1. Establishment of the Chartered Institute of Health Insurance and Managed Care of Nigeria
2. Objectives of the Institute
3. Qualifications
4. Principal officers of the Institute
5. Institute Governing Council
6. Appointment of the board of fellows.

PART II - FINANCIAL PROVISIONS

7. Establishment of fund and expenditure
8. Power to borrow money
9. Annual estimates, account and audit.

PART III - APPOINTMENT AND DUTIES OF THE REGISTRAR

10. Appointment and duties of the Registrar
11. Publication of registers and list for corrections
12. Registration
13. Approval of qualification
14. Supervisions of instructions leading to approved qualifications

PART IV - PROFESSIONAL DISCIPLINE

15. Establishment, composition of the disciplinary committee and investigating panel
16. Penalties for unprofessional conduct

PART V - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

17. Rules as to professional practice and fees
18. Provision of library facilities

- 19 Offences
- 20 Regulations and rules
- 21 Dissolution of the former Institute of Health Insurance and Managed  
Care
- 22 Interpretation
- 23 Citation
- Schedules

# A BILL

## FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF HEALTH INSURANCE AND MANAGED CARE OF NIGERIA TO PROVIDE FOR THE CONTROL OF ITS MEMBERSHIP AND PROMOTE THE PRACTICE OF HEALTH INSURANCE AND MANAGED CARE IN NIGERIA; AND FOR RELATED MATTERS

*Sponsored by Hon. Ndudi Elumelu*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF HEALTH  
2 INSURANCE AND MANAGED CARE OF NIGERIA

3 1.-(1) There is established the Chartered Institute of Health  
4 Insurance and Managed Care of Nigeria (in this Act referred to as "the  
5 Institute").

Establishment of the Chartered Institute of Health Insurance and Managed Care of Nigeria

6 (2) The Institute-

7 (a) is a body corporate with perpetual succession;

8 (b) shall have a common seal which shall be kept in such custody as  
9 the Council may authorise; and

10 (c) may sue or be sued in its corporate name.

11 2. The objectives of the Institute shall be to-

Objectives of the Institute

12 (a) organise and provide professional training in the specialist  
13 areas of Health Insurance and Managed Care;

14 (b) professionalise Health Insurance and Managed Care with a  
15 commitment to raising great leaders in all sectors of the economy;

16 (c) promote the art and science in the areas of Health Insurance and  
17 Managed Care;

18 (d) educate, conduct, and establish approaches to the Health  
19 Insurance and Managed Care practice;

- 1 (e) build a bridge between public and private sectors of the economy;
- 2 (f) integrate culture and ethical standard in the specialist areas of
- 3 Health Insurance and Managed Care practice;
- 4 (g) imbibe professionalism in both the private sector and public of the
- 5 economy for efficiency and effectiveness in line with global best practices; and
- 6 (h) do all such things that are necessary to promote the advancement
- 7 of Health Insurance and Managed Care in both the public and private sectors of
- 8 the economy.

Qualifications

9 3.-(1) Subject to the provisions of this Act, persons admitted into the

10 Institute shall possess knowledge, experience, and qualifications in Health

11 Insurance and Managed Care and other related disciplines determined by the

12 Council, and may be enrolled in the category of-

- 13 (a) Fellowship;
- 14 (b) Full Membership;
- 15 (c) Associate Membership;
- 16 (d) Graduate Membership; and
- 17 (e) Students.

18 (2) Without prejudice to the provisions of this Act, persons registered

19 as members of the Institute, under this Act, are entitled to be enrolled-

20 (a) as Fellows, if they satisfy the Council that for the period of at least

21 five years immediately preceding the date of their application in that behalf that

22 they-

- 23 (i) are fit and proper persons,
- 24 (ii) are holders of approved academic qualifications,
- 25 (iii) have satisfied the Council in their dissertations, and
- 26 (iv) have been continuously active in the practice of professional
- 27 Health Insurance and Managed Care in either public or private sectors of the
- 28 economy and as members of the Institute;

29 (b) as Associate members, if for the period of at least three years

30 immediately preceding the date of their application in that behalf that they have

1           been enrolled as graduate members and are fit and proper persons, and as  
2           may be approved in the discretion of the Council; and

3                   (c) as Graduate members, if they satisfy the Council that they have  
4           passed the mandatory examinations conducted by the Institute, hold  
5           equivalent qualifications from recognised institutions of higher education  
6           and are -found to be fit and proper persons by the Council.

7                   (3) The following are other precedence and designated titular  
8           abbreviations for-

9                   (a) a Fellow of the Chartered Institute of Health Insurance and  
10          Managed Care who shall have the right to use the designatory letters FCIII  
11          immediately after his name; and

12                  (b) an Associate member of the Chartered Institute of Health  
13          Insurance and Managed Care who shall have the right to use the designatory  
14          letters of ACIHI immediately after his name.

15                  (4) Graduate and students registered for training shall become  
16          professional practising members only after satisfying specified  
17          qualification requirements for membership in any of the categories as may  
18          be prescribed by the Council or bye-laws of the Institute.

19                  4.-(1) The Principal officers of the Institute shall be-

- 20                  (a) the President;  
21                  (b) the Vice-President;  
22                  (c) the National Secretary;  
23                  (d) the National Treasurer; and  
24                  (e) the Public Relations officer.

Principal officers  
of the Institute

25                  (2) The principal officers listed under subsection (1) of this section  
26          shall be financial members of the Institute in the grades of Fellows,  
27          Associate members and Licentiate members and shall be elected to office  
28          biennially at the second Council meeting for another term of two years, and  
29          no more.

30                  (3) The President shall be the Chairman of the meetings of the

1 Institute, but in the event of his incapacity, death or inability to discharge the  
2 duties reposed on him under this subsection, the Vice President shall discharge  
3 such duties for the unexpired portion of the term of office of that President

4 (4) If any of the officers listed under subsection (1) of this section  
5 ceases to hold any of the offices designated under the subsection.

6 5.-(1) There is established for the Institute, a governing body (in this  
7 Act referred to as "the Council") which shall have responsibility for the  
8 administration and general management of the Institute.

9 (2) The Council shall consist of-

10 (a) the President of the Institute, who shall be the Chairman;

11 (b) the Vice-President of the Institute, who shall be the Deputy  
12 Chairman;

13 (c) the Registrar;

14 (d) 12 members nominated by the Institute from the 6 geo-political  
15 zones of the Federation;

16 (e) two persons, who are members of the Institute, to represent  
17 institutions of higher education in Nigeria offering courses leading to an  
18 approved qualification, to be appointed in rotation;

19 (f) the immediate past President of the Institute; and

20 (g) one person each, not below the rank of a Director, to represent the  
21 Federal Ministry of-

22 (i) Finance,

23 (ii) Trade and Investment, and

24 (iii) Education.

25 (3) The provisions of the First Schedule to this Act shall have effect  
26 with respect to the supplementary provisions of the Council and the  
27 qualifications and tenure of the office of members of the Council, and the  
28 matters mentioned in the Schedule.

29 6.-(1) There shall be appointed annually a Board of Fellows to  
30 coordinate the activities of the Council.

Establishment  
of the Institute  
Governing Council

First Schedule

Appointment  
of the Board of  
Fellows

1 (2) The Board of Fellows shall consist of persons who have been  
2 duly elected as Fellows of the Institute, and shall have a Chairman who shall  
3 preside over the activities of the Board.

4 PART II - FINANCIAL PROVISIONS

5 7.-(1) The Council shall establish and maintain a fund for the  
6 Institute, the management and control of which shall be under the authority  
7 of the Council, into which shall be paid-

Establishment  
of fund and  
expenditure

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

9 (b) subscriptions, fees and commissions received by the Council  
10 under this Act;

11 (c) such money as may be provided by the Federal, State or Local  
12 Government by way of grants and subventions or loans; and

13 (d) money raised for the purposes of the Institute by way of gifts,  
14 donations, grants in aid, testamentary dispositions from individuals, bodies  
15 corporation or philanthropic organisations.

16 (2) The Council shall apply the proceeds of the Fund of the Institute.  
17 to-

18 (a) all expenditure incurred by the Institute in the course of the  
19 discharge of its duty under this Act;

20 (b) the remunerations and allowances of the Registrar and other  
21 staff of the Institute;

22 (c) the maintenance of the premises and property owned by and  
23 vested in the Institute;

24 (d) the payment of traveling allowances and such stipend for  
25 members of the Council as may be approved by the Council; and

26 (e) the payment of such other charges as may be reasonably  
27 incurred in the performance of the functions of the Institute and the Council.

28 (3) For the purposes of the companies income tax, any donation  
29 made by any company in Nigeria to the Institute shall be a deductible  
30 donation within the meaning of this Act.

Power to borrow  
money

1 8.-(1) The Council may, with the general consent of its members or in  
2 accordance with the general guidelines or authority given by the Government  
3 of the Federation, borrow, on behalf of the Institute, by way of loan or overdraft  
4 from any source, any money required by the Council to meet the obligations of  
5 the Institute in order to perform its function under this Act and such consent or  
6 authority shall be required where the sum or aggregate of the sums involved at  
7 any time does not exceed such amount as is for the time being projected in  
8 relation to the Institute in any particular year.

9 (2) The Council may, subject to the provisions of this Act and  
10 conditions of trust in respect of funds held or any property owned by the  
11 Institute, invest any but not all of its funds with the same consent or general  
12 authority.

Annual estimates,  
account and audit

13 9.-(1) The Chairman of the Council shall cause to be prepared, not  
14 later than six months before the end of the year, estimates for the recurrent and  
15 capital expenditure and income of the Institute during the next succeeding  
16 financial year, which shall be presented to the Annual General Meeting of the  
17 Institute by the Council for approval.

18 (2) The Council shall keep proper accounts and records and shall  
19 prepare in respect of each financial year, a statement of account in such form as  
20 the Chairman or the Council shall direct.

21 (3) The Council shall, after the end of a financial year, cause the  
22 accounts of the Institute and those of the Council to be audited by qualified  
23 auditors appointed from the list of auditors and in accordance with the  
24 guidelines laid down by the Auditor-General for the Federation.

25 (4) The auditors appointed under subsection (3) of this section shall,  
26 on completion of the audit of the accounts of the Institute and the Council for  
27 each financial year, prepare and submit to the Council two reports, that is to  
28 say-

29 (a) a general report setting out the observations and recommendations  
30 of the auditors on the financial affairs of the Institute and the Council for the



1 year, and on any important matter which the auditors may consider  
2 necessary to bring to the notice of the Council; and

3 (b) a detailed report containing the observations and  
4 recommendations of the auditors on all aspects of the operations of the  
5 Institute and the Council.

6 PART III - APPOINTMENT AND DUTIES OF THE REGISTRAR

7 10.-(1) The Council shall appoint a fit and proper person to be the  
8 Registrar of the Institute.

Appointment  
and duties of  
the Registrar

9 (2) The Registrar shall be the head of the administration of the  
10 Institute and Secretary to the Council.

11 (3) The Register shall consist of three parts of which the first part  
12 shall be in respect of fellows, the second part shall be in respect of associates  
13 and the third part shall be in respect of licentiates.

14 (4) Subject to the provisions of this subsection, the Council may  
15 make rules with respect to the form and keeping of the Register and making  
16 of entries therein and in particular-

17 (a) the making of application for enrolment or registration, as the  
18 case may be;

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

21 (c) authorising a registered person to have any qualification which  
22 is in relation to the relevant discipline of the profession for the purpose of  
23 this Act, registered in relation to his name in addition to or, as he may elect,  
24 in substitution for other qualifications so registered;

25 (d) specifying the fees, including subscription to be paid to the  
26 Institute in respect of the entry of names on the register; and

27 (e) specifying anything not specified under this section, but rules  
28 made for the purposes of paragraph (d) of this subsection shall not come into  
29 force until they are confirmed at a special meeting of the Institute convened  
30 for that purpose, or at the next annual general meeting of the Institute, as the

1 case may be.

2 (5) The Registrar shall-

3 (a) correct, in accordance with the Council's directives, any entry in  
4 the register which the Council directs him to correct as being, in the Council's  
5 opinion, an entry which was incorrectly made;

6 (b) remove from the register the name of any registered person who  
7 had died;

8 (c) record the names of the members of the Institute who are in default  
9 in the payment of the annual subscription, dues or other charges for more than  
10 12 months, and take such action in relation thereto including removal of the  
11 names of the defaulters from the register as the Council may determine or  
12 direct; and

13 (d) make any necessary alteration in the registered particulars of  
14 registered persons;

15 (e) send by post to any registered person a letter addressed to him at  
16 his address on the register, enquiring whether the registered particulars relating  
17 to him are correct and receives no reply to the letter within the period of 6  
18 months from the date of posting; and

19 (f) upon the expiration of the period specified in paragraph (e) of this  
20 subsection, send, in like manner to the person in question, a second similar  
21 letter and receive no reply to the letter within three months from posting it,  
22 then the Registrar may remove the particulars relating to the person in question  
23 from the register, and the Council may direct the Registrar to restore to the  
24 appropriate part of the Register any of the particulars removed therefrom under  
25 this subsection.

26 **11.-(1)** The Registrar shall-

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

30 (b) thereafter in each year, cause to be printed, published and put on

1 sale a corrected edition of the registrar since it was last printed; and

2 (c) cause a print of each edition of the register and of each list of  
3 correction to be deposited at the principal office of the Institute, and the  
4 Council shall keep the register and the list so deposited available at all  
5 reasonable times for inspection by members of the Institute.

6 (2) A document purporting to be a print of an edition of the register  
7 published under this section by authority of the Registrar, or documents  
8 purporting to be a print of an edition so printed, shall, (without prejudice to  
9 any other mode of proof) be admissible in any proceeding as evidence that  
10 any person specified in the document, or the documents read together, as  
11 being registered was so registered at the date of the edition or of list of  
12 correction, as the case may be, and that any person not so specified was not  
13 registered.

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

19 12-(1) Subject to the rules made by the Council under section  
20 10(4) of this Act, a person, whether or not a member of a professional Health  
21 Insurance and Managed Care body recognised by an Act of National  
22 Assembly, shall be entitled to be enrolled or registered as a Member of  
23 Chartered Institute of Health Insurance and Managed Care if-

Registration

24 (a) he passes the qualifying examination of membership conducted  
25 by the Council under this Act and completes the practical training  
26 prescribed; or

27 (b) he holds a qualification granted outside Nigeria and for the time  
28 being accepted by the Institute and, if the Council so requires, satisfies the  
29 Council that he had sufficient practical experience as a loan and Health  
30 Insurance and Managed Care manager.

1 (2) Subject to the rules made by the Council under section 10 (4) of  
2 this Act, a person shall be entitled to be registered, as a public manager, if he  
3 satisfies the Council that immediately before the appointed day, he had at least  
4 five years' experience as an inspector and internal auditor of the affairs of a  
5 company.

6 (3) An applicant for registration shall, in addition to evidence of  
7 qualification, satisfy the Council that he-

8 (a) is of good character;

9 (b) has attained the age of 21; and

10 (c) has not been convicted of a criminal offence involving fraud or  
11 dishonesty in Nigeria or elsewhere.

12 (4) The Council may provisionally accept a qualification presented in  
13 respect of an application for registration under this section, or direct that the  
14 application be renewed within such period as may be specified in the direction.

15 (5) Any entry directed to be made in the register under subsection (4)  
16 of this section shall indicate that the registration is provisional, and no entry  
17 made in consequence thereof shall be converted to or, construed as, full  
18 registration without explicit consent of the Council made in writing in that  
19 behalf.

20 (6) The Council shall publish in a Federal Government Gazette,  
21 particulars of qualifications for the time being accepted for the purpose of  
22 registration.

Approval of  
qualification, etc.

23 13.-(1) The Council may approve an institution for the purposes of  
24 this Act and may, for those purposes, approve any-

25 (a) course of training at any institution which is intended for persons  
26 who are seeking to become or are already management consultants, and which  
27 the Council considers as necessary to confer on persons completing the course,  
28 sufficient knowledge and skill for admission to the Institute; or

29 (b) qualification which, as a result of an examination taken in  
30 conjunction with a course of training approved by the Council under this

1 section, is granted to candidates reaching a standard at the examination  
2 indicating, in the opinion of the members of the Council, that the candidates  
3 have sufficient knowledge and skill to practise as loan and Health Insurance  
4 and Managed Care.

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

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

12 (b) afford each an opportunity of making representation to the  
13 Council with regard to the proposal; and

14 (c) take into consideration any representation made with respect to  
15 the proposal under paragraph (b) of this subsection.

16 (3) Where the approval of the Council under this section for a  
17 course, qualification or institution is withdrawn, the course, qualification or  
18 institution shall not be treated as approved under this section, but the  
19 withdrawal of any such approval shall not prejudice the registration or  
20 eligibility for registration of any person who, by virtue of the approval, was  
21 registered or eligible for registration immediately before the approval was  
22 withdrawn.

23 (4) The giving or withdrawal of an approval under this section shall  
24 have effect from such date, either before or after the execution of the  
25 instrument signifying the giving or withdrawal of the approval, as the  
26 Council may specify in that instrument, and the Council shall-

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

29 (b) not later than 7 days before its publication, send a copy of the  
30 instrument to the Minister.

Supervisions  
of instructions  
according to approved  
qualifications

1 14.-(1) The members of the Council shall keep themselves informed  
2 of the nature of-

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

5 (b) the examination as a result of which approved qualification are  
6 granted, and for the purpose of performing that duty, the Council may appoint,  
7 either from among its own members or otherwise, person to visit approved  
8 institutions, or to attend such examination.

9 (2) The visitor appointed under subsection (1) (b) of this section shall  
10 report to the Council on-

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

13 (b) the conduct and adequacy of the examination observed by him;  
14 and

15 (c) any other matter relating to the instruction or examinations on  
16 which the Council may, either generally or in a particular case, request him to  
17 report, but no visitor shall interfere with the giving of any instruction or the  
18 conduct of any examination.

19 (3) On receiving a report made under this section, the Council may, if  
20 it deems fit, and shall, if so required by the Institution, send a copy of the report  
21 to the person appearing before the Council as being in charge of the institution  
22 or of which the Disciplinary Committee has cognisance under the provisions of  
23 the Act responsible for the examination of which the report relates, requesting  
24 that person to make an observation on the report of the Council within such  
25 period as may be specified in the request, not being less than one month  
26 beginning with the date of the request.

27 PART IV - PROFESSIONAL DISCIPLINE

28 15.-(1) The Investigating Panel shall consist of four members of the  
29 Council and one person who is not a member of the Council.

30 (2) There is established the Chartered Institute of Health Insurance and

Establishment,  
composition of  
the investigating  
panel and  
disciplinary  
committee

1 Managed Care Disciplinary Committee (in this Act, referred to as "the  
2 Disciplinary Committee") charged with the duty of considering and  
3 determining any case referred to it by the Investigating Panel established  
4 under subsection (3) of this section, and any other case of Investigating  
5 Panel, which the Disciplinary Committee has cognisance under this Act.

6 (3) The Disciplinary Committee shall consist of the Chairman of  
7 the Council and six other members of the Council.

8 (4) There is established the Chartered Institute of Health Insurance  
9 and Managed Care Investigating Panel (in this Act, referred to as "the  
10 Investigating Panel") charged with the duty of-

11 (a) conducting a preliminary investigation into any case where it is  
12 alleged that a member has misbehaved in his capacity as a loan and Health  
13 Insurance and Managed Care manager or should, for any other reason, be the  
14 subject of proceeding before the Disciplinary Committee; and

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

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

Second Schedule

20 (6) The Council may make rules not inconsistent with this Act as to  
21 acts which constitute professional misconduct.

22 **16.-(1) Where-**

Penalties for  
unprofessional  
conduct

23 (a) a member is judged by the Disciplinary Committee to be guilty  
24 of infamous conduct in any professional respect;

25 (b) a member is convicted, by any court or tribunal in Nigeria or  
26 elsewhere having power to award imprisonment, of an offence or (whether  
27 or not punishable with imprisonment which, in the opinion of the  
28 Disciplinary Committee, is incompatible with the status of a professional  
29 Health Insurance and Managed Care and loan manager; or

30 (c) the Disciplinary Committee is satisfied that the name of any

1 person has been fraudulently registered, the Disciplinary Committee may, if it  
2 deems fit, give a direction reprimanding that person or ordering the Registrar to  
3 strike his name off the relevant part of the register.

4 (2) The Disciplinary Committee may, if it deems fit, defer its  
5 decisions as to the giving of a direction under subsection (1) of this section until  
6 a subsequent meeting of the Disciplinary Committee but no-

7 (a) decision shall be referred under this subsection for a period  
8 exceeding 2 years on the aggregate; and

9 (b) person shall be a member of the Disciplinary Committee for  
10 purposes of reaching a decision which has been deferred or further deferred,  
11 unless he was present as a member of the Disciplinary Committee when the  
12 decision was deferred.

13 (3) For the purposes of subsection (1) (b) of this section, a person shall  
14 not be treated as convicted as therein mentioned unless the conviction stands at  
15 a time when no appeal or further appeal is pending or may (without extension  
16 or time) be brought in connection with the conviction.

17 (4) When the Disciplinary Committee gives a direction under  
18 subsection (1) of this section, the Disciplinary Committee shall cause notice of  
19 the direction to be served on the person to whom it relates.

20 (5) A person, whose name is struck off the register pursuant to a  
21 direction of the Disciplinary Committee under this section, is not entitled to be  
22 enrolled or registered again except in pursuance of a direction in that behalf  
23 given by the Disciplinary Committee on the application of the person.

24 (6) Direction under this section for the removal of a person's name  
25 from the register may prohibit an application under this subsection by that  
26 person until the expiration of such period from the date of the direction (and  
27 where he has duly made such an application, from the date of his last  
28 application) as may be specified in the direction.

29 PART V - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

30 17.-(1) The Council may make rules-



1 (a) for the training of suitable persons in Health Insurance and  
2 Managed Care methods and practice;

3 (b) for the supervision and regulation of the engagement, training  
4 and transfer of such persons;

5 (c) prescribing the amount and dues for payment of annual  
6 subscription, and for such purpose, different amounts may be prescribed by  
7 the rules according to whether the person is enrolled as a fellow, associate  
8 member, a graduate member, licentiate member or student;

9 (d) prescribing the form of licence to practise to be issued annually  
10 or, if the Council deems it fit, by endorsement on any existing licence; and

11 (e) restricting the right to practise in default of payment of the  
12 amount of annual subscription where the default continues for longer than  
13 such period as may be prescribed by the rules.

14 (2) Rules, when made under this section shall, if the Chairman of  
15 the Council so directs, be published in the Federal Government Gazette.

16 18. The Institute shall-

17 (a) provide and maintain a library, comprising books and  
18 publications for the advancement of knowledge of Health Insurance and  
19 Managed Care, and such other books and publications as the Council may  
20 deem necessary for that purpose; and

21 (b) encourage research into Health Insurance and Managed Care  
22 methods and allied subjects to the extent that the Council may consider  
23 necessary.

24 19.-(1) If any person, for the purpose of procuring the registration  
25 of any name, qualification or other matter-

26 (a) makes a statement which he believes is false.

27 (b) recklessly makes a statement which is false,  
28 commits an offence.

29 (2) If, on or after the relevant date, any person not a member of the  
30 Institute, who practises or holds himself out to practise Health Insurance and

Provision of  
library facilities

Offences

1 Managed Care for or in expectation of reward or takes or uses any name, title,  
2 addition or description implying that he is in Health Insurance and Managed  
3 Care practice, he commits an offence, provided that, in the case of a person  
4 falling within section 17 of this Act-

5 (a) this subsection shall not apply in respect of anything done by him  
6 during the period mentioned in that section; and

7 - (b) if within that period he duly applies for membership of the  
8 Institute, then, unless within that period he is notified that his application has  
9 not been approved, this subsection shall not apply in respect of anything done  
10 by him between the end of that period and the date on which he is enrolled or  
11 registered or notified.

12 (3) If the Registrar or any other person employed by, or on behalf of  
13 the Institute wilfully makes any falsification in any matter relating to the  
14 register, commits an offence.

15 (4) A person who commits an offence under this section is liable-

16 (a) on summary conviction, to a fine not exceeding N50,000; and

17 (b) on conviction on indictment, to a fine not exceeding ₦100,000 or  
18 to imprisonment for a term not exceeding 2 years or to both fine and  
19 imprisonment.

20 (5) Where an offence under this section which has been committed by  
21 a body corporate is proven to have been committed with the consent or  
22 connivance of, or to be attributed to any neglect on the part of, any director,  
23 manager, secretary or other similar officer of the body corporate or any person  
24 purporting to act in any such capacity, he, as well as the body corporate, are  
25 deemed to be guilty of that offence and liable to be prosecuted and punished  
26 accordingly.

27 (6) In this section, "the relevant date" means the third anniversary of  
28 the appointed day or such earlier date as may be prescribed for the purpose of  
29 this section by order of the Ministry published in the Federal Government  
30 Gazette.

1                   **20.-(1)** Any regulation made under this Act shall be published in  
2 the Federal Government Gazette and a copy of such regulations shall be sent  
3 to the Ministry not later than 7 days before they are so published.

Regulations and  
rules

4                   **(2)** Rules made for the purposes of this Act shall be subject to  
5 confirmation by the Institute at its next general meeting or at any special  
6 meeting of the Institute convened for that purpose, and, if annulled, shall  
7 cease to have effect on the day after the date of annulment, but without  
8 prejudice to anything done in pursuance or intended pursuance of any such  
9 rules.

10                   **21.-(1)** The Institute of Health Insurance and Managed Care of  
11 Nigeria is dissolved.

Dissolution of  
the former Institute  
of Health Insurance  
and Managed Care

12                   **(2)** All the property held by or on behalf of the former Institute  
13 shall, by virtue of this section, vest in the Institute and held by it for the  
14 purposes of the Institute.

15                   **(3)** The provisions of the Third Schedule to this Act shall have  
16 effect with respect to matters arising from the transfer by this section to the  
17 Institute, of property of the former, and with respect to the other matters  
18 mentioned in that Schedule.

Third Schedule

19                   **22. In this Act-**

Interpretation

20 "Institute" means Chartered Institute of Health Insurance and Managed  
21 Care established under section 1 (1) of this Act;

22 "Council" means the Council established as the governing body of the  
23 Institute under section 5 of this Act;

24 "Disciplinary Committee" means the Chartered Institute of Health  
25 Insurance and Managed Care Disciplinary Committee establishment under  
26 section 15 (1) of this Act;

27 "enrolled" means an enrolled fellow, an associate member, a graduate  
28 member as the case may be;

29 "Fees" includes annual subscriptions;

30 "Investigating Panel" means the Chartered Institute of Health Insurance and

1 Managed Care of Nigeria established under section 15 (3) of this Act;  
2 "Ministry" means the Ministry charged with the responsibility for matters  
3 relating to Health;  
4 "President and Vice-President" means respectively the officers or holders,  
5 under those names in the Institute;  
6 "Profession" means the profession of Health Insurance and Managed Care; and  
7 "registrar" means the registrar appointed under section 10 (2) of this Act.

Citation

8 23. This Bill may be cited as the Chartered Institute of Health  
9 Insurance and Managed Care of Nigeria (Establishment) Bill, 2020.

10 SCHEDULES

11 *Section 5 (3)*

12 FIRST SCHEDULE

13 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

14 *Qualifications and tenure of members*

15 1.-(1) Subject to the provisions of this paragraph, a member of the  
16 Council shall hold office for a term of two years, beginning with the date of his  
17 appointment or election.

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

20 (3) An elected member may, by notice in writing under his hand  
21 addressed to the President, resign his office, and any appointed member may,  
22 likewise resign his appointment.

23 (4) A person who retires from or otherwise ceases to be an elected  
24 member of the Council is eligible again to become a member of the Council,  
25 and any appointed member may be reappointed.

26 (5) Members of the Council shall, at a meeting next before the annual  
27 general meeting of the Institute, arrange for five members of the Council  
28 appointed or elected, and longest in office to retire at that annual general  
29 meeting.

30 (6) Elections to the Institute shall be held in such manners as may be

1 prescribed by rules made by the Council and until so prescribed they shall be  
2 decided in a secret balloting process.

3 (7) If for any reason there is a vacation of office by a member and-

4 (a) such member was appointed by the Minister or any other body  
5 corporate, the Minister or body corporate shall appoint another fit person to  
6 occupy the office in which the vacancy occurs; or

7 (b) such member was elected, the Council may, if the period  
8 between the unexpired portion of the tenure of office and the next general  
9 meeting of the Institute appears to warrant the prompt filling of the vacancy,  
10 co-opt a fit person for such period.

11 *Powers of the Council*

12 2. The Council shall have powers to do anything which, in its  
13 opinion is calculated to facilitate the activities of the Institute.

14 *Proceedings of the Council*

15 3.-(1) Subject to the provisions of this Act, the Council may, in the  
16 name of the Institute, make standing orders regulating the proceedings of the  
17 institute or of the Council, and in the exercise of its powers under this Act,  
18 may set up committees in the general interest of the Institute, and make  
19 standing orders for them.

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

23 (3) Standing orders made for a committee shall provide that the  
24 committee shall report to the Council on any matter not within its  
25 competence to be decided upon.

26 (4) The quorum of the Council shall be 9, and the quorum of a  
27 committee of the Council shall be as fixed by the Council.

28 *Meetings of the Institute*

29 5.-(1) The Council shall convene the annual general meeting of the  
30 Institute on a day the Council may appoint any particular year, and if the

1 meeting is not held within one year after the previous annual general meeting,  
2 not more than 15 months shall elapse between the respective dates of the two  
3 meetings.

4 (2) A special meeting of the Institute may be convened by the Council  
5 at any time, and if at least 30 members of the Institute require it by notice in  
6 writing addressed to the General Secretary of the Institute, setting out the  
7 objects of the proposed meeting, the Chairman of the Council shall convene a  
8 special meeting of the Institute.

9 (3) The quorum of any general meeting of the Institute shall be 15  
10 members, and that of any special meeting of the Institute shall be 25 members.

11 *Meetings of the Council*

12 6.-(1) Subject to the provisions of any standing order of the Council,  
13 the Council shall meet whenever it is summoned by the Chairman, and if the  
14 Chairman is required to do so by notice in writing given to him by at least seven  
15 other members, he shall summon a meeting of the Council to be held within  
16 seven days from the date on which the notice is given.

17 (2) At any meeting of the Council, the Chairman or, in his absence, the  
18 Deputy Chairman shall preside, but if both are absent the members present at  
19 the meeting shall appoint one of them to preside at the meeting.

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

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

28 *Committees*

29 7.-(1) The Council may set up one or more committees to carry out, on

1       behalf of the Institute or of the Council, such functions as the Council may  
2       determine.

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

7               (3) Any recommendation of a committee of the Council shall be of  
8       no effect until it is approved by the Council.

9                               *Miscellaneous*

10              8-(1) The fixing of the seal of the Institute shall be authenticated  
11       by the signature of the President or another member of the Council  
12       authorised generally by the Institute to act for that purpose.

13              (2) Any contract or instrument which, if made or executed by a  
14       person, not being a body corporate, would not be required to be under seal,  
15       may be made or executed on behalf of the Institute or the Council, as the case  
16       may require, by any person generally or specially authorised to act for the  
17       purpose by the Council.

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

21              (4) The validity of any proceedings of the Institute or Council or a  
22       committee of the Council shall not be affected by any vacancy in  
23       membership, defect in the appointment of a member of the Institute or of the  
24       Council or by reason that a person not entitled to serve in the Committee  
25       took part in the proceedings.

26              (5) Any member of the Institute or the Council, and any person  
27       holding office on a committee of the Council, who has a personal interest in  
28       any contract or arrangement entered into or proposed to be considered by the  
29       Council, shall disclose his interest to the President or Council, as the case

1 may be, and shall not vote on any question relating to the contract or  
2 arrangement.

3 (6) A person shall not by reason only of his membership of the  
4 Institute, be required to disclose any interest relating solely to the audit of the  
5 accounts of the Institute.

6 SECOND SCHEDULE

7 Section 15 (5)

8 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY  
9 COMMITTEE AND INVESTIGATING PANEL

10 *The Investigating Panel*

11 1. The quorum of the panel shall be two.

12 *The Disciplinary Committee*

13 2. The quorum of the Disciplinary Committee shall be three of whom  
14 at least two shall be professional commercial practitioners.

15 3.-(1) The Chief Justice of Nigeria shall make rules-

16 (a) as to the-

17 (i) selection of members of the Disciplinary Tribunal for the purposes  
18 of any proceeding, and

19 (ii) procedures to be followed and the rules of evidence to be observed  
20 in proceedings before the Disciplinary Tribunal;

21 (b) for securing that notice of the proceedings shall be given at such  
22 time and at such manner as may be specified by the rules to the person who is  
23 the subject of the proceeding;

24 (c) for determining who, in addition to the person mentioned in  
25 paragraph (b), shall be a party to the proceedings;

26 (d) for securing that any party to the proceedings, who, in accordance with the  
27 rules, requires, be entitled to be heard by the Disciplinary Tribunal;

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

30 (f) subject to the provisions of section 16 (5) of this Act, as to the costs



1 of proceedings before the Disciplinary Committee;

2 (g) for requiring, in a case where it is alleged that the person who is  
3 subject of the proceedings is guilty of infamous conduct in any professional  
4 respect, that where the Disciplinary Committee adjudges that the allegation  
5 has not been proved, it shall record a finding that the person is not guilty of  
6 such conduct in respect of the matters to which the allegation relates; and

7 (h) for publishing in the media, notice of any direction of the  
8 Disciplinary Committee, which has taken effect, providing that a person's  
9 name shall be struck off a register.

10 4. For the purposes of any proceeding before the Disciplinary  
11 Committee, any member of the Disciplinary Committee may administer  
12 oaths and any party to the proceedings may sue through the Supreme Court  
13 *writs of subpoena ad testandum and duces tecum*, but no person appearing  
14 before the Disciplinary Committee shall be compelled to:

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

17 (b) produce any document under such a writ which he could be  
18 compelled to produce at the trial of an action.

19 5.-(1) For the purposes of advising the Disciplinary Committee on  
20 questions of law arising in proceedings before it, there shall, in all such  
21 proceedings, be an assessor to the Disciplinary Committee who shall be  
22 appointed by the Council on the nomination of the Chief Justice of Nigeria  
23 and shall be a legal practitioner of at least 7 years standing.

24 (2) The Chief Justice of Nigeria shall make rules as to the functions  
25 of assessors appointed under this paragraph, and, in particular, such rules  
26 shall contain provisions for securing that-

27 (a) where an assessor advises the Disciplinary Committee on any  
28 question of law as to the evidence, procedure or any matter specified in the  
29 rules, he shall do so in the presence of every party or person representing a  
30 party to the proceedings who appears thereat or, if the advice is tendered

1 while the Committee is deliberating in private, that every such party or  
2 Disciplinary.

3 (b) every party or person as mentioned in subparagraph (a) shall be  
4 informed if, in any case, the Disciplinary Committee does not accept the advice  
5 of the assessor on such a question.

6 (3) An assessor may be appointed under this paragraph either  
7 generally or for any particular proceeding or class of proceedings, and shall  
8 hold and vacate office in accordance with the terms of the instrument by which  
9 he is appointed.

10 6.-(1) The Investigating Panel may, at any of its sittings attended by  
11 all its members, make standing orders with respect to the Investigating Panel

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

14  
15 (1) A person who has been a member of the Disciplinary Committee  
16 or the Investigating Panel shall be eligible for reappointment as a member of  
17 that body.

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

22 8. The Disciplinary Committee or the Investigating Panel may act  
23 notwithstanding any vacancy in its membership, and the proceedings of either  
24 body shall not be invalidated by any irregularity in the appointment of a  
25 member of that body, or (subject to paragraph 7(2) of this Schedule) by reason  
26 that any person who was not entitled to do so took part in the proceedings of the  
27 body.

28 9. Any document authorised or required by virtue of this Act to be  
29 served on the Disciplinary Committee or the Investigating Panel shall be  
30 served on the Registrar appointed under section 10 of this Act.

1                   10. Any expenses of the Disciplinary committee or the panel shall  
2                   be defrayed by the Institute.

3   THIRD SCHEDULE

4   Section 21 (3)

5   *Transitional Provision to a property, etc.*

6                   1.-(1) Every agreement to which the former Institute was a party  
7                   immediately before the appointment day, whether in writing or not and  
8                   whether or not of such a nature that the rights, liabilities and obligations  
9                   thereunder could be assigned by the former Institute, shall, unless its terms  
10                  or subject matter make it impossible that it should have effect as modified in  
11                  the manner provided by this subparagraph, have effect from the appointed  
12                  day, so far as it relates to property transferred by this Act to the Institute, as  
13                  if-

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

15                                   (b) for any reference (however worded and whether expressed or  
16                                   implied) to the former Institute, they were substituted, with respect to  
17                                   anything not done or after the appointed day, a reference to the Institute; and

18                                   (c) for any reference (however worded and whether expressed or  
19                                   implied) to a member or members of the Council of the former Institute or an  
20                                   officer of the former Institute they were substituted, with respect to anything  
21                                   not done on or after the appointed day, a reference to members of the Council  
22                                   under this Act or the officers of the former Institute who correspond as  
23                                   nearly as may be to the member or officer in question of the Institute.

24                   (2) The documents which refer, whether specially or generally, to  
25                   the former Institute shall be construed in accordance with subparagraph (1)  
26                   of this paragraph so far as applicable.

27                   (3) Without prejudice to the generality of the provisions of this  
28                   Schedule, where, by the operation of any of them or of section 21 (2) of this  
29                   Act, any right, liability or obligation vests in the Institute and all other  
30                   persons shall, as from the appointed day, have the same rights as to the

1 making or resisting of legal proceedings or applications to any authority for  
2 ascertaining, perfecting or enforcing that right, liability or obligation as they  
3 would have had at all times being a right, liability or obligation of the  
4 Institute.

5 (4) Any legal proceeding or application to any authority pending on  
6 the appointed day by or against the former Institute and relating to property  
7 transferred by this Act to the Institute may be continued on or after that day by  
8 or against the Institute.

9 (5) If the law in force at the place where any property transferred by  
10 this Act is situated provides for the registration of transfer of property of the  
11 kind in question (whether by reference to an instrument of transfer or  
12 otherwise), the law shall, so far as it provided for alterations of a register (but  
13 not for avoidance of transfer, the payment of fees or any matter) apply with the  
14 necessary modifications to the transfer of the property, and the Council shall  
15 furnish the necessary particulars of the transfer to the proper office of the  
16 registration authority, and of that officer to register the transfer  
17 accordingly.

18 *Transfer of functions, etc.*

19 2.-(1) At its first meeting, the Council of the Institute shall fix a date  
20 (not later than 6 months after the appointed day) for the annual general meeting  
21 of the Institute.

22 (2) The members of the Council of the former Institute shall be  
23 deemed to be members of the Council of the Institute until the date determined  
24 in this subparagraph when the Institute shall have its first annual general  
25 meeting, and they shall cease to hold office at the conclusion of such  
26 meeting.

27 (3) Any person who, immediately before the appointed day, held  
28 offices as the President or Vice President of the Council of the former Institute  
29 shall, on that day, become the President or, as the case may be, the Vice-  
30 President of the Institute and shall be deemed to have been appointed-

1 (a) to that office under this Act corresponding to the relevant.  
2 provision in the said articles of the Institute; and

3 (b) on the date on which he took office, or last took office, in  
4 pursuance of the relevant provision of those articles.

5 (4) The members of the former Institute shall, as from the  
6 appointed day, be registered as members of the Institute, and without  
7 prejudice to the generality of the provisions of this Schedule relating to the  
8 transfer of property, any person who, immediately before the appointed day,  
9 was a member of staff of the former Institute shall, on that day, become the  
10 holder of an appointment with the Institute with the status, designation and  
11 functions which correspond as nearly as may be to those which appertained  
12 to him in his capacity as a member of staff.

13 (5) Any person who is an office-holder on, or member of the  
14 Council of the Institute immediately before the appointed day and deemed  
15 under this paragraph to have been appointed to any like position in the  
16 Institute, or on the Council of the Institute, and thereafter otherwise than by  
17 reason of his misconduct, is eligible for appointment in the Institute or to  
18 membership of the Council as the case may be.

19 (6) All regulations, rules and instruments made for the purposes of  
20 the Institute, and in force immediately before they are subsequently revoked  
21 or amended by any authority having power in that behalf shall have effect,  
22 with any necessary modifications, as if duly made for the corresponding  
23 purposes of the Institute.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Health Insurance and Managed Care of Nigeria to provide for the control of its membership and promote the practice of Health Insurance and Managed Care in Nigeria.

