

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PARAMEDICAL STUDIES OF NIGERIA CHARGED WITH RESPONSIBILITY OF ADVANCING THE STUDY, TRAINING AND PRACTICE OF PARAMEDICAL STUDIES OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Pascal Agbodike

[] Commencement

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

1 PART 1- ESTABLISHMENT OF THE CHARTERED INSTITUTE OF
2 PARAMEDICAL STUDIES OF NIGERIA.

3 1.-(1) There is established a Chartered Institute of Paramedical
4 Studies of Nigeria (hereinafter in this Bill referred to as ("The Institute").

Establishment of the Chartered Institute of Paramedical Studies of Nigeria

5 (2) The Institute:

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; and

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

11 2. The functions of the Institute includes:

Function of the Institute

12 (a) Determine the standard of knowledge and skills attained by
13 person seeking to become members of the Institute and improve those
14 standards from time to time;

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

19 (c) To expose the members with world-class technological

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

Power of the
Institute

- 11 3. The Institute has power to do all things necessary and convenient to
- 12 be done in connection with the performance of its functions and in particular
- 13 may-
- 14 (a) Enter into contracts;
- 15 (b) Charge fees for its services;
- 16 (c) Make penal regulations.

Establishment
of Governing
Institute and
Management

- 17 4.-(1) There shall be for the Institute a governing body to be known as a
- 18 "Board" which shall have responsibility for the administration and general
- 19 management of the Institute.
- 20 (2) The Institute established pursuant to subsection 1 of this section shall
- 21 consist of the following members that is-
- 22 (a) The chairman, elected by Institute members among themselves;
- 23 (b) A vice chairman elected by Institute members among themselves;
- 24 (c) Two persons nominated by the minister of health;
- 25 (d) Six persons elected by the Institute;
- 26 (e) Registrar;
- 27 (f) An Immediate past chairman of the Institute who is entitled to serve
- 28 for a further maximum period of three years from the expiration of his tenure as
- 29 chairman.
- 30 (3) The chairman and Vice shall hold office for a term of two (2) from

1 the date of his elections.

2 (4) The chairman shall preside at meetings of the Institute and in
3 his absence, the vice chairman shall preside
4 Schedule.

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

8 PART 2 - APPOINTMENT AND DUTIES OF THE REGISTRAR

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

Appointment of
Registrar of the
Institute

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

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

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

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

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

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

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

1 as the case may be.

2 (4) The Register shall-

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

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

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

13 (d) Make from time to time any necessary alterations in the registered
14 particulars of registered persons.

15 6. If the Registrar:

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

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

Publications of
Register and List
of Corrections

27 7.-(1) The Registrar shall be:

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

1 (b) Thereafter in each year to cause to be printed, published and put
2 on sale as aforesaid, a corrected edition of the Register since it was last
3 printed; and

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

8 **8.**-(1) The Institute May, on the recommendation of the Registrar Other Staff
9 appoint such other staff as it may consider necessary to assist the Registrar in
10 the discharge of his duties.

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

14 **PART 3 - REGISTRATION OF MEMBERSHIP**

15 **9.**-(1) A person shall be entitled to be registered as a member of the Qualification for
16 Institute if: Membership

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

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

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

25 (2) An applicant for registration shall in addition to evidence or
26 qualification, satisfy the Institute that-

27 (a) He is good character;

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

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

1 (3) The Institute may, provisionally accept a qualification produced in
2 respect of an application for registration under this section, or direct that the
3 Application be renewed within such period as may be specified in the direction.

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

Signatory to
Certificates

7 **10.** The Chairman and Registrar shall be the joint signatory to
8 certificates awarded by the Institute.

9 PART 4 - FUND FOR THE INSTITUTE

Fund of the
Institute

10 **11.**-(1) The Institute shall establish and maintain a fund, to be applied
11 towards function of the Institute.

12 (2) The Institute shall not later than 1st September in each financial
13 year or soon thereafter submit to the Institute for approval, its estimate of
14 revenue and expenditure in respect of the following year.

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

18 (i) The Institute may from time to time, reasonably borrow money for
19 purposes of the Institute;

20 (ii) all fees, and other monies payable to the Institute;

21 (iii) all grants, aids and solicited funds received for the Institute;

22 (iv) Proceeds from programme and activities.

Expenditure

23 **12.** There shall be defrayed from the fund the following:

24 (a) The remuneration and allowances of the Registrar and other
25 employees of the Institute;

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

29 (c) Any expense incurred by the Institute in the discharge of its duties.

1 name out of the relevant Part of the Register.

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

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

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

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

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

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

20 PART 6 - OFFENCES AND PENALTIES

Offences and
Penalties

21 **17.**-(1) A person commits an offence who-

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

23 (b) Willfully makes falsification in any matter relating to the 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 N5,000
27 or imprisonment for a term not exceeding two years, or both.

Limitation of suits
against the Institute
and its staff

28 **18.**-(1) Notwithstanding anything to the contrary contained in any
29 other enactment, no suit against the Institute, a member or any employee of the
30 Institute for any act done in pursuance or execution of any enactment or law, or

1 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
3 or be instituted in any court unless it is commenced within 12 months next
4 after the act or neglect complained of or in the case of a continuing damage
5 or injury, within 12 months next after the ceasing thereof.

6 (2) No suit shall be commenced against the Institute before the
7 expiration of a period of one month notice of intention to commence the suit
8 shall have been served upon the Institute 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
15 and any summons, notice or other document required or authorized to be
16 served upon the Institute under the provisions of this Bill or any other
17 enactment or law may be served by delivering the same to the chairman,
18 chairman, Governing Institute or the Registrar of the Institute and by
19 sending it by registered post to the principal office of the Institute.

20 **19.** In this Bill unless the context otherwise requires-

Interpretation

21 "Registered" means enrolled;

22 "Paramedical" Means of or denoting a person who assists physicians and
23 nurses or is trained physicians and nurses in their activities;

24 "Incorporate Institute" means the paramedical practitioners Institute of
25 Nigeria incorporated under the companies and Allied matters Act 2004.

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

28 "Institute" mean paramedical practitioner Institutes of Nigeria;

29 "Board" Means established as the governing body of the Institute.

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

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

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

9 *Miscellaneous*

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

12 9. Any contract or instrument, which if made by a person not a
13 body corporate, would not be required to be made under seal, may be made
14 or executed on behalf of the Institute by the Registrar or by any other person
15 generally or specifically authorized by the Institute 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 Institute shall be received in
18 evidence and, unless the contract is proved, be presumed, without further
19 proof to have been so signed or sealed.

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

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

23 (3) By any defect in the appointment of a member of the Institute 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 Institute or a Committee thereof, who has a
28 personal interest in any contract or arrangement entered into or proposed to

- 1 be considered by the Institute or Committee shall forthwith disclose his interest
- 2 to the Institute or Committee and shall not vote on any question relating to the
- 3 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Paramedical Studies of Nigeria charged with responsibility of advancing the study, training and practice of Paramedical Studies of Nigeria.