

# A BILL

## FOR

AN ACT TO ESTABLISH CHARTERED INSTITUTE OF PUBLIC HEALTH STUDIES AND ADMINISTRATION 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. Shehu Sale Rijau*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF PUBLIC  
2 HEALTH STUDIES AND ADMINISTRATION

3 1.-(1) There is established a Chartered Institute of Public  
4 Health Studies and Administration (hereinafter in this Bill referred to as  
5 "The Institute").

Establishment of the Chartered Institute of Public Health Studies and Administration

6 (2) The Institute:

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

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

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

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

12 2.-(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;

Function of the Institute

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

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

3 (d) Secure a register of members of the Institute;

4 (e) To encourage research in the Chartered Institute of Public health  
5 science by exposing the members with recent research development in premier  
6 research Institutes;

7 (f) To organize Public campaigns to spread awareness about disease  
8 and common Household health care system and encourage the NGOs to  
9 participate in such initiatives.

Power of the  
Institute

10 **3.** The Institute 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;

Membership  
of the Institute

16 **4.** Subject to the provisions of this Act, persons admitted to  
17 membership of the Institute shall be registered as members in the following  
18 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 Chartered Institute of Public  
25 health Studies and Administration;

26 (b) The training or mentoring programme must be at least a minimum  
27 of 3 years of intensive practical exposure to all areas of Chartered Institute  
28 Public Health Studies and Administration practice;

29 (c) Full membership examination to be conducted by the Institute. A  
30 successful associate member shall then become a full member

1 (ii) FULL MEMBERS:

2 (a) A person shall be entitled to be registered as a full member after  
3 undergoing training in Chartered Institute of Public Health Studies and  
4 Administration;

5 (b) The programme must be at least a year of Chartered Institute  
6 Public Health Studies and Administration courses of study taken at a stretch;

7 (c) A person who has acquired skill and expertise in Public Health  
8 Studies and Administration for a period not less than 3 years (exception is  
9 given to those in practice 3 years prior to this Act).

10 (iii) FELLOW MEMBERS:

11 (a) Qualified Practitioners shall apply to be considered for  
12 fellowship based on the criteria to be set by the privileges and ethics  
13 committee;

14 (b) The full professional designatory letters of the different  
15 categories of members shall be-

16 (i) Fellow Chartered Institute Public Health Studies and  
17 Administration;

18 (ii) Member Chartered Institute Public Health Studies and  
19 Administration;

20 (iii) Associate Chartered Institute Public Health Studies and  
21 Administration.

22 5.-(1) There shall be for the council a governing body to be known Establishment  
23 as a "Board" which shall have responsibility for the administration and of Governing  
24 general management of the Institute. Council and  
Management

25 (2) The council establish pursuant to subsection 1 of this section  
26 shall consist of the following members that is-

27 (a) The chairman, elected by council members among themselves;

28 (b) A vice chairman elected by council members among  
29 themselves;

30 (c) Two person nominated by the minister of health;

	1	(d) Six person elected by the council;
	2	(e) Registrar;
	3	(f) An Immediate past chairman of the council who entitled to serve
	4	for a further maximum period of three years from the expiration of his tenure as
	5	chairman.
Tenure of Office	6	<b>6.</b> The chairman and Vice shall hold office for a term of two (2) from
	7	the date of his elections.
Meetings of the Council	8	<b>7.</b> -(1) The chairman shall preside at meetings of the council and in his
	9	absence, the vice chairman shall preside.
Schedule	10	(2) The provisions set out in the schedule on this Bill shall have effect
	11	with respect to operation, qualification, tenure of office of members of the
	12	council and other matters therein mentioned.
	13	PART 2 - APPOINTMENT AND DUTIES OF THE REGISTRAR
Appointment of the Registrar	14	<b>8.</b> -(1) The Institute shall appoint a fit and proper person to the
	15	Registrar of the Institute.
	16	(2) The registrar appointed in terms of subsection (1) of this section
	17	shall be head of the administration of the Institute and secretary to the Board.
	18	(3) Subject to the following provisions of this subsection, the Institute
	19	may make rules with respect to the form and keeping of the Register and
	20	making of entries and therein particular-
	21	(a) The making of applications for enrolment or registration, as the
	22	case may be:
	23	(b) Providing for notification to the Registrar by the person to whom
	24	any registered particulars related of any change in those particulars;
	25	(c) Authorizing a registered person to have any qualification, which is
	26	in relation to the relevant discipline of the profession, administration, either an
	27	approved qualification or an accepted qualification for the purpose of this Act.
	28	(d) Specifying from time to time the fee including subscription to be
	29	paid to the Institute in respect of the entry of names on the Register authorizing
	30	the Registrar to refuse to enter a name on the Register until the fee specified for

1 the entry has been paid; and

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

6 **9.** The Register shall-

Functions of the  
Registrar

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

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

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

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

19 **10.** If the Registrar-

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

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

Publications of  
Register and List  
of Corrections

1                   **11.**-(1) The Registrar shall be:  
2                   (a) Cause the Register to be printed, published and put on sale to  
3 members of the public not later than two years from the commencement of this  
4 Act;  
5                   (b) Thereafter in each year to cause to be printed, published and put on  
6 sale as aforesaid, a corrected edition of the Register since it was last printed;  
7 and  
8                   (c) Cause a print of each edition of the registers and of each list of  
9 correction to be deposited at the principal offices of the Institute, and the  
10 Institute shall keep the register and the list so deposited available at all  
11 reasonable time for inspection by members of the Institute.

Other Staff

12                   **12.**-(1) The Institute May, on the recommendation of the Registrar  
13 appoint such other staff as it may consider necessary to assist the Registrar in  
14 the discharge of his duties.  
15                   (2) The employment of the Registrar and other staff shall be  
16 pensionable in accordance with the terms and conditions of service in the  
17 Federal Government of Nigeria.

18                   PART 3 - REGISTRATION OF MEMBERSHIP

Qualification  
for Membership

19                   **13.**-(1) A person shall be entitled to be registered as a member of the  
20 Institute if:  
21                   (a) He passes the qualifying professional examination conducted by  
22 the Institute and completes the practical training prescribed;  
23                   (b) He holds a qualification accepted by the Institute as sufficient  
24 practical experience;  
25                   (c) He holds a qualification granted outside Nigeria which recognized  
26 by the Institute and he is by law entitled to practice the profession for all  
27 purpose in the country in which the qualification was granted.  
28                   (2) An applicant for registration shall in addition to evidence or  
29 qualification, satisfy the Institute that-  
30                   (a) He is good character;

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

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

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

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

11 14. The Chairman and Registrar shall be the joint signatory to Signatory to  
12 certificates awarded by the Institute. certificates

13 PART 4 - FUND FOR THE INSTITUTE

14 15.-(1) The Institute shall establish and maintain a fund, to be Fund of the  
15 applied towards function of the Institute. Institute

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

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

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

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

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

26 (iv) Proceeds from programme and activities.

27 16. There shall be defrayed from the fund the following: Expenditure

28 (a) The remuneration and allowances of the Registrar and other  
29 employees of the Institute;

30 (b) Such reasonable travelling allowances (as determined by the I

1 Institute and its Committee) incurred in the business or official functions of the  
2 Institute;

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

Auditing of  
Accounts

4 **17.**-(1) The Institute shall keep proper records of the annual accounts  
5 of the Institute in each financial year.

6 (2) The accounts of the Institute shall be audited within six months  
7 after the end of each financial year by auditors appointed by the Institute. The  
8 fees of the auditors and the expenses of audit shall be paid from the fund of the  
9 Institute.

10 (3) The audited annual accounts and report shall be submitted by the  
11 Institute to the members of the Institute at the AGM.

12 **PART 5 - PROFESSIONAL DISCIPLINE**

Investigating  
Panel

13 **18.** There shall be an Investigating panel, consisting of three members  
14 and two non-members of the Institute all to be appointed by the Institute  
15 charged with duty of-

16 (a) Conducting preliminary investigation into allegations that a  
17 registered member has misconduct himself in his capacity as a registered  
18 member; and

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

Disciplinary  
Committee

21 **19.** There shall be a Disciplinary Committee consisting of six (6)  
22 members one of whom shall be the Chairman appointed by the Institute,  
23 charged with the duty of investigating and determine any case referred to it by  
24 the Investigating Panel.

Penalties for  
unprofessional  
conduct

25 **20.**-(1) Where-

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

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

30 (c) The Disciplinary Committee determines that the name of any

1 person has been fraudulently registered.

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

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

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

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

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

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

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

23 PART 6 - OFFENCES AND PENALTIES

24 **21.**-(1) A person commits an offence who-

Offences and  
Penalties

25 (a) Holds himself out as a public Health practitioners

26 (b) Willfully makes falsification in any matter relating to the  
27 register.

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

30 (a) Summary conviction, to a fine of an amount not exceeding

1 N100,000 or imprisonment for a term not exceeding two years, or both.

2 **22.**-(1) Notwithstanding anything to the contrary contained in any  
3 other enactment, no suit against the Institute, a member or any employee of the  
4 Institute for any act done in pursuance or execution of any enactment or law, or  
5 of any public duty or authority, or in respect of an alleged negligence or default  
6 in the execution of such enactment or law, duty or authority, shall lie or be  
7 instituted in any court unless it is commenced within 12 months next after the  
8 act or neglect complained of or in the case of a continuing damage or injury,  
9 within 12 months next after the ceasing thereof.

10 (2) No suit shall be commenced against the Institute before the  
11 expiration of a period of one month notice of intention to commence the suit  
12 shall have been served upon the Institute by the intending plaintiff or his  
13 authorized agent and the notice shall clearly and explicitly state:

14 (a) The cause of action;  
15 (b) The particulars of the claim;  
16 (c) The name and place of abode of the intending plaintiff; and  
17 (d) The relief which he claims.

18 (3) The notice referred to in subsections (1) and (2) of this section and  
19 any summons, notice or other document required or authorized to be served  
20 upon the Institute under the provisions of this Bill or any other enactment or  
21 law may be served by delivering the same to the chairman, or the Registrar of  
22 the Institute and by sending it by registered post to the principal office of the  
23 Institute.

24 **23.** In this Bill unless the context otherwise requires-

25 "Public" means Not Private; open to or concerning the people as a whole;  
26 "Health" means a Healthy State of Wellbeing free from disease;  
27 "Registered" means enrolled;  
28 "Incorporate Institute" means Institute Public Health Studies and  
29 Administration incorporated under the companies and Allied matters Act  
30 2004;

Limitation of  
suits against the  
Institute and its  
staff

Interpretation

1 "Minister" means the minister charged with the responsibility for matters  
2 relating to Health.

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

4 24. This Bill may be cited as the Chartered Institute of Public Health Studies and Administration Bill, 2023. Citation

6 SCHEDULE

7 SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE

8 PROCEEDING OF THE INSTITUTE

9 1. Subject to this Bill and section 27 of the interpretation Act  
10 (which provides for decision of a statutory body to be taken by a majority of  
11 its members, and for the Chairman to have a second or casting votes) the  
12 Institute may make standing orders regulating the proceedings of the  
13 Institute and any Committee thereof.

14 2. If at any time, the office of the Chairman is vacant or the  
15 Chairman is in the opinion of the Institute permanently or temporarily  
16 unable to perform the function of his office, the Institute may approve one of  
17 its Members to perform such functions and reference in the schedule to the  
18 Chairman shall be construed accordingly.

19 3. Every meeting of the Institute shall be presided over by the  
20 Chairman and if he is unable to attend a particular meeting the Vice-  
21 Chairman shall preside and in the event where both the Chairman and Vice  
22 Chairman are absent, the Member present at the meeting shall elect one of  
23 their Members to preside at the meeting.

24 4. The Quorum at a meeting of the Institute shall consist of the  
25 Chairman/or in the appropriate case, the person presiding at the meeting and  
26 five other members.

27 5. Where upon any special occasion, the Institute desire to obtain  
28 the advice of any person may co-opt that person to be member for as many  
29 meetings as may be necessary, and that person while so-co-opted shall have  
30 all the rights and privileges of a member, except that he shall not be entitled

1 to vote or count towards a quorum.

2 *Committee*

3 6.-(1) Subject to its standing orders, the Institute may appoint such  
4 number of standing or Ad-Hoc Committees as it thinks fit to consider and  
5 report on any matter with which the Institute is concerned.

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

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

12 *Miscellaneous*

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

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

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

23 11.-(1) The validity of any proceedings of Institute or a Committee  
24 thereof, shall or be adversely affected.

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

26 (3) By any defect in the appointment of a member of the Institute or  
27 Committee; or

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

30 12. Any member of the Institute or a Committee thereof, who has a e

1        personal interest in any contract or arrangement entered into or proposed to  
2        be considered by the Institute or Committee shall forthwith disclose his  
3        interest to the Institute or Committee and shall not vote on any question  
4        relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Chartered Institute of Public Health Studies and Administration charged with responsibility of advancing the study, training and practice of public health management and administration in Nigeria.