FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 77

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 27 March, 2013

1. The House met at 11.49 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 26 March, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
Bereavement:
Mr Speaker announced with regret that Hon. Mohammad Tukur Adamu (*Alkaleri/Kirfi Federal Constituency*) lost some members of his family and personal staff in a ghastly motor accident on Tuesday, 26 March, 2013 on their way from Bauchi to Abuja.

A minute silence was observed in honour of the deceased.

4. **Petitions:**
The following petitions were presented and laid by:

(*i*) Hon. Charles Odedo (*Idemili North/Idemili South Federal Constituency*) on behalf of:

(*a*) Amb. Jerry Sonny Ugokwe, praying the House to redress the re-designation and re-allocation of the green area assigned to him at Apo Legislative Quarters by the Federal Capital Territory Administration;

(*b*) Monica Okafor, praying the House to intervene in the termination of her appointment by the National Biotechnology Agency (NABA), with a view to ensuring her reinstatement and granting other reliefs sought;

(*ii*) Hon. Abbas Tajudeen (*Zaria Federal Constituency*) on behalf of Tahir Abubakar, seeking the intervention of the House in his unlawful dismissal from service by MTN Nigeria, Kaduna, with a view to reinstating him;

(*iii*) Hon. Uche Lilian Ekwunife (*Anaocha/Njikoka/Dunakofia Federal Constituency*) on behalf of the International Institute for Humanitarian and Environmental Law (ISHERL) from Messrs Jacob Udobang and Associates, Solicitors and Attorney to the 1,444 disengaged service contract workers at ExxonMobil Producing Nigerian, Limited, praying the House to redress the gross violation of their fundamental rights in the non-payment of their terminal entitlements, with a view to ensuring payment.

Petitions referred to the Committee on Public Petitions.

PRINTED BY NATIONAL ASSEMBLY PRESS, ABUJA

5. **Matters of Urgent Public Importance:**

(*i*) Citing Standing Order VIII, Rule 46, Hon. Tobias Chukwuemeka Okwuru (*Ikwo/Ezza South Federal Constituency*) drew the attention of the House to the recurring boundary disputes between the Amagu Ikwo community of Ebonyi State and the Adadama community of Cross River State. He stressed the need to urgently address the problem and other recurring boundary disputes across the country with a view to preserving the lives and properties of innocent citizens. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and negatived.

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Daniel Asuquo (*Akamkpa/Biase Federal Constituency*) called the attention of the House to the e-passport policy and the accompanying e-payment introduced by the Nigerian Immigration Service a few years ago. He stated that the management of the policy appeared not to have beneficial effect on the general security as Nigerians are still subjected to stringent checks at border posts. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and negatived.

6. **Presentation of Bills:**

The following Bills were presented and read the *First Time*:

(*i*) Fiscal Responsibility Act (Amendment) Bill, 2013 (HB. 472).

(*ii*) Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill, 2013 (HB. 480).

(*iii*) Local Government Regulatory Authority Bill, 2013 (HB. 481).

(*iv*) National Park Service Act (Amendment) Bill, 2013 (HB. 482).

(*v*) Constitution of the Federal Republic of Nigeria 1999 (Amendment) Bill, 2013 (HB. 483).

(*vi*) Public Procurement Act (Amendment) Bill, 2013 (HB. 484).

(*vii*) Alcoholic Content Control Bill, 2013 (HB. 469).

7. **Presentation of Reports:**

(*i*) ***Committee on Foreign Affairs*:**

Motion made and Question proposed, "That this House do receive the Report of the Committee on Foreign Affairs on the Violent attack on the Nigerian Embassy in Dakar, Senegal on Monday in which the building, vehicles and equipment were vandalized" (*Hon. Nnenna Ijeoma Elendu-Ukeje — Bende Federal Constituency*).

Question put and agreed to.

Report laid.

(*ii*) ***Committee on Public Petitions*:**

Report of the Petition by Okrika Timmy Okeoghene, Mateme Prince Gilbert and Omodaye Godwin Bafor:

Motion made and Question proposed, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Okirka Timmy Okeoghene, Mateme Prince Gilbert and Omodaye Godwin Bafor against Chevron Nigeria Limited (CNL) on Alleged Unlawful Termination of Appointment" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Report laid.

(*iii*) ***Committee on Public Petitions*:**
Report of the Petition by L/CPL Sidimon Emmanuel:
Motion made and Question proposed, "That this House do receive the Report of the Committee on Public Petitions on the Petition by L/CPL Sidimon Emmanuel on Alleged Malicious Prosecution and Unlawful Dismissal from the Nigerian Army" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Report laid.

(*iv*) ***Committee on Public Petitions*:**
Report of the Petition by SPR Tuku Paul:
Motion made and Question proposed, "That this House do receive the Report of the Committee on Public Petitions on the Petition by SPR Tuku Paul against the Nigerian Army on Alleged Non-Reinstatement into the Army" (*Hon. Uzo A zubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Report laid.

(*v*) ***Committee on Public Petitions*:**
Report of the Petition by Olusola Adekanola and Co:
Motion made and Question proposed, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Olusola Adekanola and Co. on the Recommendation of the House of Representatives' Ad-hoc Committee Report on Fuel Subsidy Probe to blacklist and Prosecute the firm" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Report laid.

(*vi*) ***Committee on Public Petitions*:**
Report of the Petition by Ex-Cpl Maria Ikhimi:
Motion made and Question proposed, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Ex-Cpl Maria Ikhimi against the Nigerian Army on Alleged Dismissal from the Army" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Report laid.

8. **Urgent Need for a National Policy on Diabetics in Nigeria:**
Motion made and Question proposed:

The House:

Notes that diabetes is a chronic condition that arises when the pancreas does not produce enough Insulin, or when the body cannot effectively use the insulin produced;

Further notes that diabetes is a life threatening disease that is on the rise in Nigeria;

Aware that available data from the International Diabetic Foundation indicates that diabetes is the fourth leading cause of death and that each year three million deaths worldwide are attributable to diabetes related causes;

Further aware that an estimated 195 million people around the world have diabetes, and by 2025, the figure is expected to rise to 333 million amounting to 6.3% of the world's population living with diabetics;

Worried that Nigeria being the most populous nation in Africa, has the highest number of people with diabetes with approximately 1,218,000 people affected. Nigeria also has the highest number of people with impaired glucose tolerance with an estimated 3.8 million people;

Concerned by the apathetic disposition of Government towards this disease resulting to unavailability of information and support for affected individuals and their families;

Further concerned that most Nigerians affected seek medical attention at the advanced stages of this ailment when only minimal help can be given to them;

Cognizant that if diabetes is detected early it can be managed for the survivor to lead a normal life.

Resolves to:

Mandate the Committee on Health to convene a stakeholders meeting on the impact of diabetes and make recommendations on ways of combating the problem (*Hon. Michael Abayomi Ogunnusi — Ifako/Ijaiye Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that diabetes is a chronic condition that arises when the pancreas does not produce enough Insulin, or when the body cannot effectively use the insulin produced;

Further noted that diabetes is a life threatening disease that is on the rise in Nigeria;

Aware that available data from the International Diabetic Foundation indicates that diabetes is the fourth leading cause of death and that each year three million deaths worldwide are attributable to diabetes related causes;

Further aware that an estimated 195 million people around the world have diabetes, and by 2025, the figure is expected to rise to 333 million amounting to 6.3% of the world's population living with diabetics;

Worried that Nigeria being the most populous nation in Africa, has the highest number of people with diabetes with approximately 1,218,000 people affected. Nigeria also has the highest number of people with impaired glucose tolerance with an estimated 3.8 million people;

Concerned by the apathetic disposition of Government towards this disease resulting to unavailability of information and support for affected individuals and their families;

Further concerned that most Nigerians affected seek medical attention at the advanced stages of this ailment when only minimal help can be given to them;

Cognizant that if diabetes is detected early it can be managed for the survivor to lead a normal life.

Resolved to:

Mandate the Committee on Health to convene a stakeholders meeting on the impact of diabetes and make recommendations on ways of combating the problem (**HR. 81/2013**).

9. **Violation of the Provisions of the Nigerian Security and Civil Defence Corps Act, 2003 (as Amended) and the Non-Utilization of the Nigerian Security and Civil Defence Corps of their Statutory Assignment:** *Motion made and Question proposed*:

The House:

Notes the existence and operation of the Nigeria Security and Civil Defence Corps (NSCDC) Act, 2003, and its subsequent amendment in 2007 which came into force on the 28th day of May, 2007;

Further notes the provisions of the Nigeria Security and Civil Defence Corps (NSCDC) (amendment) Act, 2007 in section 3, which provides for the functions of the Nigeria Security and Civil Defence Corps (NSCDC) especially in subsection (l) (e) which states that:

"the Nigeria Security and Civil Defence Corps (NSCDC) shall, maintain 24-hour surveillance over infrastructure, sites and projects of the Federal, State and Local Government;

that the Nigeria Security and Civil Defence Corps (NSCDC) has powers to arrest without a warrant, detain, investigate and institute legal proceedings against any person who is reasonably suspected to have committed an offence under this Act or is involved in any power transmission lines, or Oil Pipelines, Nigerian Postal Service (NIPOST) cables, equipment, water board pipes or equipment vandalization";

Observes that in spite of the provisions of the Nigeria Security and Civil Defence Corps (NSCDC) Act on the protection of pipelines, the Federal Government through the Nigerian National Petroleum Corporation (NNPC), still embarked on spending ?5.6 billion yearly on Oil Contracts for the protection of Oil Pipelines, which violates the provisions of the Nigeria Security and Civil Defence Corps (NSCDC) (Amendment) Act, 2007 that explicitly and unequivocally gave the Nigeria Security and Civil Defence Corps (NSCDC) in Section 3 (1) (*e*) the powers to protect pipelines all over the country; arrest, detain, investigate and prosecute any person suspected to be involved in the act of pipeline vandalism;

Concerned that this breach of the Nigeria Security and Civil Defence Corps (NSCDC) Act by the Federal Government through the Nigerian National Petroleum Corporation (NNPC) also violates the objectives of the intendment of the 1999 Constitution (as Amended) to minimize waste. The huge sums of money spent in servicing the pipeline contract could be invested in funding the Nigeria Security and Civil Defence Corps (NSCDC) to enable the Corps carry-out its statutory function rather than giving it to a private firm in violation of the law and a condition that could compromise the National Security;

Frowns at the mobilization of the officers of the Nigeria Security and Civil Defence Corps (NSCDC) to locations and operations not covered by the Nigeria Security and Civil Defence Corps (NSCDC) Act, 2007 and the constitution of the International Civil Defence Organization of which Nigeria is a member as it denigrates the Corps and officers, violates the Act and reduces the number of officers available to carry out their statutory duties.

Resolves to:

Mandate the Committees on Interior, National Security and Intelligence, and Petroleum Resources (Up Stream) to investigate the Oil Pipeline Protection Contract and the violation of the Nigeria Security and Civil Defence Corps (NSCDC) Act of 2007 and report to the House within four (4) Weeks (*Hon. Robinson Uwak — Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruko Federal Constituency*).

Question put and agreed to.

Resolution referred to the Committee on Committees on Interior, National Security and Intelligence, and Petroleum Resources (Upstream), pursuant to Standing Order VIII, Rule 51 (5) (**HR. 82/2013**).

10. **Consolidation of Bills:**

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of National Farm Reserves (Establishment and Development) Commission for the Cultivation, Development, Control, Preservation and Management of Federal Government owned Farms in the 36 States of the Federal Republic of Nigeria and for Other Matters Connected Therewith (HB. 246) and a Bill for an Act to Provide for The Establishment of the National Farm Reserve (Establishment and Development) Commission for the Cultivation, Development, Control, Preservation and Management of Federal Government Owned Farms in 774 Local Councils in Nigeria and for Other Matters Connected Therewith (HB. 456) be now consolidated" (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Question put and agreed to.

11. **A Bill for an Act to Authorize the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the Total Sum of ₦259,697,591,075 (Two Hundred and Fifty-Nine Billion, Six Hundred and Ninety-Seven Million, Five Hundred and Ninety-One Thousand, and Seventy-Five Naira) only, of Which the Sum of ₦48,034,818,410 (Forty-Eight Billion, and Thirty-Four Million, Eight Hundred and Eighteen Thousand, Four Hundred and Ten Naira) only, is for Personnel Costs and the Sum of ₦55,902,373,024 (Fifty-Five Billion, Nine Hundred and Two Million, Three Hundred and Seventy-Three Thousand, and Twenty-Four Naira) only, is for Overhead Costs While the Balance of ₦155,760,399,641 (One Hundred and Fifty-Five Billion, Seven Hundred and Sixty Million, Three Hundred and Ninety-Nine Thousand, Six Hundred and Forty-One Naira) only, is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Financial Year Commencing from 1st January and Ending on 31st December, 2013 (HB.428) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Authorize the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the Total Sum of ₦259,697,591,075 (Two Hundred and Fifty-Nine Billion, Six Hundred and Ninety-Seven Million, Five Hundred and Ninety-One Thousand, and Seventy-Five Naira) only, of Which the Sum of ₦48,034,818,410 (Forty-Eight Billion, and Thirty-Four Million, Eight Hundred and Eighteen Thousand, Four Hundred and Ten Naira) only, is for Personnel Costs and the Sum of ₦55,902,373,024 (Fifty-Five Billion, Nine Hundred and Two Million, Three Hundred and Seventy-Three Thousand, and Twenty-Four Naira) only, is for Overhead Costs While the Balance of ₦155,760,399,641 (One Hundred and Fifty-Five Billion, Seven Hundred and Sixty Million, Three Hundred and Ninety-Nine Thousand, Six Hundred and Forty-One Naira) only, is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Financial Year Commencing from 1st January and Ending on 31st December, 2013 (HB.428) be now read a Second Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read the Second Time and referred to the Committees on Federal Capital Territory Administration, Federal Capital Territory Area Councils, and Finance.

12. **A Bill for an Act to Amend the Nigerian Oil and Gas Industry Content Development Act, 2010 and for Purposes Connected Therewith (HB.452) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian Oil and Gas Industry Content Development Act, 2010 and for Purposes Connected Therewith (HB.452) be now read a Second Time" (*Hon. Asita Honourable O. — Ogba/Egbema/Ndoni/Ahoada West Federal Constituency*).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read the Second Time and referred to the Committee on Local Content.

13. **A Bill for an Act to provide easy Access to Higher Education for Nigerians through Interest free Loan with a view to Providing Education for all Nigerians and Other Purposes Connected Thereto (HB. 411) — *Second Reading*:**

Order read; by leave of the House, deferred.

14. **A Bill for an Act to Repeal the Legal Practitioners Act, Cap. L11 Laws of the Federation of Nigeria 2004 and Enact the Legal Practitioners Act to govern more efficiently the Legal Profession, to ensure Competitive Service Delivery Globally; and for Related Matters Thereto (HB. 335) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Repeal the Legal Practitioners Act, Cap. L11 Laws of the Federation of Nigeria 2004 and Enact the Legal Practitioners Act to govern more efficiently the Legal Profession, to ensure Competitive Service Delivery Globally; and for Related Matters Thereto (HB. 335) be now read a Second Time" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read the Second Time and referred to the Committee on Justice.

15. **A Bill for an Act to Provide for Compensation of Victims of Road Accident and to Establish the Road Accident Victims Compensation Commission and for Related Matters (HB. 294) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Provide for Compensation of Victims of Road Accident and to Establish the Road Accident Victims Compensation Commission and for Related Matters (HB. 294) be now read a Second Time" (*Hon. Ibrahim Bello — Igabi Federal Constituency*).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read the Second Time and referred to the Committees on Health, and Federal Road Safety Commission (FRSC).

16. **Consideration of Report:**
***Committee on Health*:**
Motion made and Question proposed, "That this House do resume the consideration of the Report of the Committee on Health on a Bill for an Act to Repeal the National Health Insurance Scheme Act, No. 35 of 1999 and Re-Enact the National Health Insurance Commission (HB. 204) and approve the Recommendations therein" (*Hon. Ndudi Godwin Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question put and agreed to.

Question that the House do resolve into the Committee of the Whole to resume consideration of the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NATIONAL HEALTH INSURANCE SCHEME ACT, NO. 35 OF 1999 AND TO ENACT THE NATIONAL HEALTH INSURANCE COMMISSION ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL HEALTH INSURANCE COMMISSION, REGISTRATION OF HEALTH MAINTENANCE PROVIDERS, PROMOTION AND REGULATION OF HEALTH INSURANCE SCHEMES AND FOR RELATED MATTERS

***Committee Recommendation*:**
Clause 23: Interim management of a scheme.
The Commission, after notifying the board of directors of an organisation may on suspending or revoking the license:

(*a*) place the organisation under an interim management team for a period of 3months; or

(*b*) arrange for the transfer of the activities or business of the organisation to another organisation subject to conditions approved by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 23 stand part of the Bill, put and agreed to.

***Committee Recommendation*:**
Clause 24: Limitation to provision of health insurance.
A health insurance organisation registered and licensed under this Bill shall not carry on any activity other than securing provision of health insurance to its members (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 24 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 25: **Prohibition of provision of health insurance service without license.**

A person shall not provide health insurance service or operate a health insurance organisation unless the organisation is registered with the Commission and issued with a license for that purpose by the Commission (*Hon. Ndudi Godwin E lumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 25 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 26: **Display of license.**

Licensed institutions or organisations, groups, etc. shall display its license in a prominent place at its offices, where the license is visible to the general public (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 26 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 27: **Prohibition on use of name unless licensed.**

(1) A person shall not conduct an activity under a name which includes "health scheme", "medical insurance scheme", "health maintenance organization", "health insurance scheme" or similar name which is calculated or likely to lead people to believe that person operates a health insurance organization unless the organisation is registered and licensed under this Bill.

(2) A person who acts contrary to subsection (1) commits an offence and is liable on conviction to a fine not exceeding ₦100,000 (One hundred thousand Naira) or to a term of imprisonment not exceeding six months or both (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 27 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 28: **Transfer and joint operations.**

(1) A health insurance organisation licensed under this Bill shall not transfer its activities or operate its activities jointly with another organisation unless it has the prior written approval of the Commission.

(2) An application for approval under subsection (1) shall be made jointly to the Commission by the schemes involved and shall contain the information prescribed by regulation made by the Commission under this Bill.

(3) Before determining an application for approval under subsection (1), the Commission shall cause to be conducted an investigation into the desirability of the change having regard to the best interest of the members of the organisation.

(4) The Commission may conduct a hearing before determining an application under this section and may hear the representatives of the organisation, members of the organisation and any person the Commission considers is sufficiently concerned in the matter to entitle that person to a hearing by the Commission.

(5) The Commission after the hearing shall make a determination which shall be binding on the parties and their members.

(6) A person dissatisfied with the decision of the Commission may appeal the decision under the provisions of this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 28 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 29: **Publications in Gazette or newspaper.**

Upon the grant, suspension or revocation of License of an organization, the Commission shall publish the name and particulars of the organisation in the Gazette and/or two newspapers of wide circulation that the Commission shall determine (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 29 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 30: **Establishment of the Public Sector Health Insurance Schemes.**

(1) There is hereby established schemes to be known as the public sector health insurance plans (in this Bill referred to as "the public sector plans") for the purpose of providing health insurance coverage which shall entitle persons and their dependants the benefits of prescribed good quality and cost effective health services as set out in this Bill.

(2) A public sector plans may be established by the Federal Government, a State Government including the Federal Capital Development Authority or a Local Government to cover all its employees and their dependants as well as the vulnerable group;

(3) All Public Sector Health insurance plans shall be regulated by the Commission.

(4) A Public Sector plans shall be operated and managed by a Public Sector Health Insurance Fund as set out in this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 30 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 31: **Establishment of private commercial health insurance plans, including HMO prepaid plans.**

(1) There is hereby established schemes to be known as the private commercial health insurance schemes (in this Bill referred to as 'the private commercial schemes') for the purpose of providing health insurance programme(s) which shall entitle ensured persons and their dependants the benefit of prescribed good quality and cost effective health services as set out in this Bill.

(2) A private commercial plan shall cover all employees of organizations in the private sector that employ at least five workers as well as to those individuals who may want to voluntarily join the scheme.

(3) A body corporate registered as a limited liability company under the Companies and Allied Matters Act 2004 may operate a private commercial health insurance plan.

(4) An employer who has a minimum of five employees shall together with the persons in his employment, pay contributions, of such rate and in such manner as may be determined from time to time, in accordance with the provisions of this Bill.

(5) A registered employer under a private commercial health insurance scheme shall cause to be deducted from his employees' wages the approved amount of contribution payable by the employee. This contribution along with the employer's shall be collected by or remitted to the commercial private health insurer for the purchase of a defined package of health care benefits for the enrollees.

(6) A person not liable to pay contributions under this Bill may apply to be registered as a voluntary contributor under a private commercial health insurance scheme and shall, after being so registered be liable to pay the specified contributions as required under this Bill and be entitled to a clearly defined package of health services.

(7) (*a*) A private commercial health insurance scheme shall be required as a condition for registration and licensing by the Commission to deposit with a Bank accredited by the Commission an amount of money in an interest yielding account that the Commission shall prescribe as security for its members.

(*b*) The security referred to under subsection (*a*) shall be maintained throughout the period that the business of private commercial health insurance is carried on.

(*c*) The Commission may review the level of the security deposit.

(8) (*a*) Where a private commercial health insurance scheme suffers a substantial loss, arising from liability to members and the loss cannot reasonably be met from its available resources, the Commission may, after ascertaining the nature of the claim, and on application made to it by the scheme, approve the withdrawal from the security deposit of the scheme of an amount of not more than ten percent of the security deposit, and an amount withdrawn shall be replaced by the scheme not later than ninety days after the date of the withdrawal.

(*b*) The security deposit is the asset of the private commercial health insurance scheme, but except as provided in subsection (*a*), it shall be available to the scheme only in the event of the closure or winding up of the health insurance business for the discharge of the liabilities arising out of policies transacted by the insurer and remaining undischarged at the time of the closure or winding up of the insurance business.

(9) All Private Commercial Health Insurance Schemes shall be regulated by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 31 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 32: Establishment of private mutual health insurance schemes including group-community based plans.

(1) There is hereby established schemes to be known as the private mutual health insurance scheme (in this Bill referred to as 'the private mutual scheme') for the purpose of providing health insurance coverage to its enrollees as set out in this Bill.

(2) A group of persons resident in the country may form and operate a private mutual health insurance scheme.

(3) (*a*) A private mutual health insurance scheme shall have its headquarters at the place that the governing body of the scheme shall determine.

(*b*) The address and any other particulars of the headquarters shall be notified in writing to the Commission.

(4) (*a*) A private mutual health insurance scheme may be managed by an independent manager appointed by its governing body and approved by the Authority.

(*b*) The manager of a private mutual health insurance organization may be a body corporate registered by guarantee or limited liability company under the Companies and Allied Matters Act 2004

(5) (*a*) The Commission may require a private mutual health insurance scheme to maintain a reserve fund equivalent to six months operational income as the Commission may determine.

(*b*) The reserve fund shall be constituted within three years after the commencement of the scheme.

(6) A private mutual health insurance scheme shall be operated exclusively for the benefit of the members and shall provide the members with the health benefits that the governing body of the scheme shall determine.

(7) (*a*) A private mutual health insurance scheme shall have the minimum membership that the governing body of the scheme shall determine.

(*b*) A private mutual health insurance scheme shall provide a clear method of enrolment of members.

(*c*) Membership shall take effect from the date that the governing body may determine on the payment of the initial contribution.

(8) All private mutual health insurance schemes shall be regulated by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 32 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 33: Payment of contributions of the various schemes.

(1) An employer who has a minimum of five employees shall, together with every person, pay contributions at such rate and in such a manner as may be determined, from time to time, in accordance with the provisions of the Act. Subject to the approval of the Commission established under section 12 of this Bill, the contribution for any employee to which this Bill applies shall be made in the following circumstances relating to his monthly emoluments —

(*a*) in the case of the Public Service of the Federation and Federal Capital Territory —

(*i*) a minimum of ten per cent by the employer;

(*ii*) a minimum of five per cent by the employee; or

(*b*) in the case of the Military —

(*i*) a minimum of twelve and a half per cent by the employer;

(*ii*) a minimum of two and half per cent by the employee;

(2) A registered employer under the Commission shall cause to be deducted from an employee's wages the approved amount of any contribution payable by the employee and shall not, by reason of employer's liability for any contribution (or penalty thereon) made under this Bill, reduce, whether directly or indirectly, the remuneration or allowances of the employee.

(3) The contributions of the self-employed as well as other people in the informal sector shall be made by the individuals and/or their families.

(4) The contributions for the vulnerable groups - the permanently disabled, the aged, prisoners, and those (children under 5 and pregnant women) not otherwise covered by other schemes- shall be made on their behalf by one or a combination of the three levels of government, development partners and/or non-governmental organizations (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 33 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 34: Registration of employers, employees and others.

(1) Subject to such guidelines and regulations as may be made under this Bill, a public employer shall register itself and its employees and pay into the account of a Public Sector Health Insurance Fund (PuHIF) its contributions and the contributions in respect of its employees, at such time and in such manner as may be specified, from time to time, in the guidelines issued by the Commission.

(2) Subject to such guidelines and regulations as may be made under this Bill, a private employer of at least ten persons shall register itself and its employees and pay into designated accounts of an HMO, its contributions and the contributions in respect of its employees, at such time and in such manner as may be specified, from time to time, in the guidelines issued by the Commission.

(3) Subject to such guidelines and regulations as may be made under this Bill, a self-employed person shall register himself or herself and the people under him/her with an HMO and pay into designated accounts of the HMO the necessary premium in respect of himself and others, at such time and in such manner as may be specified, from time to time, in the Guidelines of the Commission.

(4) Subject to such guidelines and regulations as may be made under this Bill, a member of a community (group-based, religious- based or work-based) shall register himself and his dependants with the private mutual health organization and pay into the account of the organization the necessary premium in respect of himself and others, at such time and in such manner as may be specified from time to time, in the Guidelines of the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 34 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 35: Public Health Insurance Funds (PuHIF).

(1) Public Health Insurance Funds are hereby established by this Bill.

(2) The object of the Funds is to collect contributions from public sector employers and employees and governments at all levels to finance the provision of quality health services to their employees and their families as well as to the vulnerable groups.

(3) For the purpose of implementing the object, the monies from the Funds shall be expended as follows:

(*a*) to provide a defined package of services to government employees and their families as well as to the vulnerable groups,

(*b*) to reinsure schemes against random fluctuations on cost under conditions to be determined by the Commission;

(*c*) to invest in any other facilitating programmes to promote access to health services determined by the Commission in accordance with the Minister.

(4) The sources of money for the Funds shall include but not limited to:

(*a*) contributions from public sector employees and employers which shall include the Federal, the State and the Local Governments including the Federal Capital Territory;

(*b*) contributions made by governments purposely for the implementation of vulnerable group health insurance programmes;

(*c*) other appropriation made purposely for the implementation of health insurance schemes;

(*d*) 2% of each person's 15% contribution to the National Pension Scheme for retirees;

(*e*) donations or grant-in-aid;

(*f*) proceeds of taxes from luxury goods, tobacco alcoholic beverages etc. as well as any health insurance levy;

(*g*) money that accrue to the Fund from investments made by the Fund.

(5) (*i*) The Public Health Insurance Fund at the Federal level shall be operated and managed by an independent Board of Trustees appointed by the President of the Federal Republic of Nigeria upon the recommendation of the Minister of Health for a period of four years subject to a renewal for another term.

(*ii*) The Board of Trustees shall consist of relevant stakeholders (public sector employers, National Health Insurance Commission and Health Maintenance Organizations) with a size of not more than seven with a Chairman.

(6) The Fund shall invest any money not immediately required by it in Federal Government Securities or in any other Securities as the Commission may determine with the approval of the Minister of Health, from time to time.

(7) The expenses attendant to the management of the Fund shall be charged on the Fund.

(8) (*i*) The Fund shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Fund during the next succeeding year and when prepared, they shall be submitted to the Commission for scrutiny.

(*ii*) The Fund shall cause to be kept proper accounts and proper records in relation thereto and such accounts shall be audited by auditors appointed by the Fund from the list and in accordance with the guidelines supplied by the Accountant General of the Federation.

(9) The operation and management of State and Local Governments' Public Sector Health Insurance Funds shall be guided by the provisions in (5)- (8) above for the Public Sector Health Insurance Fund at the Federal level.

(10) The Commission shall regulate all the Public Health Insurance Funds (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 35 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 36: Private Health Insurance Funds (PrHIF).

(1) The Health Maintenance Organizations and Mutual Health Associations shall establish private health insurance funds.

(2) The sources of money for the Health Maintenance Organization and other health insurance firms shall be the private sector employees/ employers' contributions which shall be collected by them (the HMOs) while the sources of money for the Mutual Health Associations (MHAs) shall be from contributions of members of such associations, donations/grants from governmental and non-governmental organizations, including private companies.

(3) In the case of private health insurance funds with the HMOs, money shall be made available to purchase benefits, as approved by the Commission, for employees and their families for whom contributions have been made by the employers. Administrative costs of the HMOs shall be met from these funds at the level approved by the Commission. Similarly, the HMOs will pay the Commission an agreed amount whilst the excess funds shall be invested in portfolios approved by the Commission.

(4) Money shall be made available from the private health insurance funds with MHAs to finance the provision of benefits to members and their families as well as to defray other expenses related to capacity building, advocacy and sensitization, among others.

(5) The HMOs shall operate and manage their private health insurance funds whilst the Board of Trustees of the MHAs shall operate and manage their private health insurance funds in accordance with the guidelines provided by the Commission.

(6) Moneys of the private health insurance funds managed by the HMOs and MHAs shall be paid into the bank accounts approved for the organizations by the Commission.

(7) The HMOs and MHAs shall invest any money not immediately required by them in such portfolios as approved by the Commission and/or covered by the guidelines issued by the Commission.

(8) The HMOs and MHAs shall keep proper accounts and records on the management of their funds in line with the guidelines provided by the Commission and such accounts shall be audited by auditors approved by the Commission. The audited accounts and reports shall be submitted to the Commission in accordance with the guidelines provided (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 36 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 37: Accreditation of Organization.

(1) The Commission shall accredit Health Maintenance Organizations, Mutual Health Associations and other prepaid health insurance organizations (in this Bill herein after referred to as "Organizations").

(2) The accreditation of an Organization shall be in such form and manner as may be determined by the Operational Guidelines of the Commission.

(3) The Commission may refuse to accredit any applicant pursuant to an application made under this section if it is satisfied that —

(*a*) the information contained in the application for accreditation is false or untrue in any material particular; or

(*b*) the application does not meet the requirements prescribed by the c for accreditation;

(*c*) the accreditation of the applicant had earlier been revoked by the Commission under any of the conditions mentioned in the Operational Guidelines and has not been corrected.

(4) Where the Commission refuses to accredit any Organization, it shall forthwith notify the applicant in the prescribed form, specifying the reasons for such refusal.

(5) The Commission may withdraw accreditation issued to an Organization, if:

(*a*) it discovers after the accreditation that a statement(s) made in connection with the application thereof was found to be false or untrue in any material particular;

(*b*) the Organization is subject to any insolvency proceedings or is likely to be wound up or otherwise dissolved;

(*c*) the conduct of affairs of the Organization does not conform with the provisions of this Bill or any regulations made pursuant to or any direction issued under this Bill;

(*d*) any event occurs which renders the Organization ineligible to perform its duties; and

(*e*) the Organization is in breach of any conditions of the Operational Guidelines issued by the Commission.

(6) The Commission shall, before withdrawing the accreditation of an Organization give the Organization at least 90 days notice of its intention and shall consider any representations made to it in writing by the Organization within that period before the withdrawal.

(7) When the accreditation of an Organization (purchasing organization or health care provider) is withdrawn, the Commission shall decide on the best way to keep its activities going either temporarily or permanently to safeguard the interest of the enrollees (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 37 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 38: Functions of Health maintenance Organisation, Mutual Health Associations, etc.

(1) An Organization referred to in subsection (1) of Section 39 of this Bill shall have responsibility for:

(*a*) the collection of premiums from employers and employees for the private sector;

(*b*) the collection of capitation and other payments from Public Health Insurance Funds for health care services to be purchased for enrollees;

(*c*) management of private health insurance funds for health insurance plans they have initiated;

(*d*) purchasing of services from accredited healthcare providers from both private and public sectors for those covered by the public sector health insurance scheme as well as those covered by the private commercial health insurance schemes;

(*e*) payment of contributions to the Commission for purposes of regulation and related issues

(*f*) the payment for services rendered by healthcare providers accredited under the Commission in accordance with the Operational Guidelines;

(*g*) production and issuance of identity cards with the general guidelines provided by the Commission;

(*h*) establishing a Quality Assurance system to ensure that qualitative care is given by the healthcare providers to enrollees;

(*i*) ensuring that all financial transactions shall be through banks accredited by the Commission;

(*j*) submitting to the Commission reports of its activities as well as annual audited accounts;

(*k*) establishing call centres to address enrollee complaints.

(2) Notwithstanding any provision contained in this Bill, a Health Maintenance Organization shall not be involved in the direct delivery of health care services.

(3) The Mutual Health Associations shall have the following responsibilities:

(*a*) continuous community mobilization and sensitization;

(*b*) day to day administration of its health insurance plan as well as the management of private health insurance funds for its health insurance funds.

(*c*) registration of members and collection of contributions;

(*d*) negotiation with providers; and purchasing of services from them for its members and their families;

(*e*) ensuring prompt payment for provider services;

(*f*) gate keeping, i.e. ensuring that services rendered are in compliance with the benefit package of the Commission;

(*g*) defining benefit package in consultation with the community members;

(*h*) fixing of premium (based on ability of community members to pay);

(*i*) medical auditing/quality assurance; and health promotion.

(4) Any other prepaid health insurance plans marketed by health maintenance organizations, shall be subject to approval by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 38 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 39: Accreditation of healthcare providers.

(1) The accreditation of health care providers shall be in such form and manner as may be determined by the relevant authorities.

(2) A health care provider accredited under the Commission shall, in consideration for a capitation payment in respect of each insured person registered with it, or for payment of approved fees for services rendered and to that extent and in the manner prescribed by this Bill, provide services in accordance with:

(*i*) the approved benefit packages as shall be determined from time to time by the Commission; and

(*ii*) the provisions of the Operational Guidelines.

(3) The Commission may exclude a provider from providing services under this Bill, if :

(*a*) it discovers after the accreditation that a statement(s) made in connection with the application thereof was found to be false or untrue in any material particular;

(*b*) the provider is subject to any insolvency proceedings or is likely to be wound up or otherwise dissolved;

(*c*) the conduct of affairs of the provider does not conform with the provisions of this Bill or any provision of the Operational Guidelines;

(*d*) any event occurs which renders the provider ineligible to offer service to its enrollees; and

(*e*) the provider is in breach of any conditions of the Operational Guidelines (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 39 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 40: Governing Body, appointment of scheme managers and other employees.

(1) A scheme shall have a governing body which shall be responsible for the direction of the policies of the scheme and appointment of employees.

(2) A scheme shall have a scheme manager who shall be responsible for the management of the scheme.

(3) A scheme manager may be an independent body corporate or committee.

(4) A scheme shall in addition to the scheme manager, appoint other officers and employees for the effective management of the scheme.

(5) Where a scheme manager or a person on the management team of a scheme ceases to be employed by the scheme, the governing body of the scheme shall inform the Commission in writing and take immediate steps to appoint a new manager or any other person for the scheme.

(6) The Commission may provide further for the qualifications of directors, scheme managers and any other employees of schemes (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 40 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 41: Annual reports, accounts and audit of schemes.

(1) A licensed scheme shall keep books of account and proper record in respect of the accounts.

(2) In addition to the provisions in the Companies and Allied Matters Act 2004, a licensed scheme shall submit an annual report in a prescribed form to the Commission covering its activities for the period from 1st January and ending on 31st December within three months after the 31st December of the preceeding year.

(3) A licensed scheme shall have its accounts audited by its auditors and a copy of the audit reports shall be submitted with its annual report to the Council.

(4) An auditor shall not be an employee, manager, or director of the scheme.

(5) The Commission may without notice cause to be audited and or inspected the accounts of any scheme operating under the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 41 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 42: **Standards of Principal Officers of organisation.**

(1) A scheme shall have at all times high caliber directors, principal officers and expert technical and professional staff and shall maintain the standards prescribed or as may be directed by the Council.

(2) Without prejudice to subsection (1), a person does not qualify to be a director, manager, secretary or any other officer of a health insurance scheme if that person:

(*a*) is certified by a medical practitioner to be a person suffering from mental disorder;

(*b*) is adjudged or otherwise declared bankrupt by a Court;

(*c*) is convicted by a Court of an offence involving fraud or dishonesty.

(3) Except with the express authority of the Council, a person who has participated in the management or direction of an insurance company which has been wound up pursuant to an order of a Court, shall not participate in the management or direction of a health insurance scheme (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 42 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 43: **Notification of certain changes.**

A scheme shall, within 30 days after the occurrence of the change notify the Commission in writing of the change and of the particulars relating to the change (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 43 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 44: **Inspection of Annual report.**

(1) A staff of the Commission may inspect a copy of the annual report of the scheme during normal business hours at the principal office of the scheme.

(2) A fee shall not be paid to the scheme for an inspection under subsection (1).

(3) On a request by a staff member of the Commission for a copy of the annual report and on payment to the scheme of the relevant fee, the scheme shall supply a copy of the report to the staff member (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 44 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 45: **Minimum health care benefits.**

A licensed scheme shall provide to its members the minimum healthcare benefits that the Commission may, by regulation, prescribe (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 45 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 46: **Settlement of complaints.**

A scheme shall provide a procedure for settlement of complaints from its members and its healthcare providers and ensure that the members and healthcare providers are aware of their right to submit complaint to the Commission where there is failure to settle a complaint raised with the scheme (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 46 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 47: Quality Assurance.

The Commission shall endeavour through the means determined by the Commission, including accreditation, that healthcare providers put in place programmes that secure quality assurance, utilization review and technology assessment to ensure that:

(*a*) the quality of healthcare services delivered are of reasonably good quality and high standard;

(*b*) the basic healthcare services are of standards that are uniform, throughout the country;

(*c*) the use of medical technology and equipments are consistent with actual need and standards of medical practice;

(*d*) medical procedures and the administration of drugs are appropriate, necessary and comply with accepted medical practice and ethics; and

(*e*) drugs and medication used for the provision of healthcare in the country are those included in the Essential Drug List of the Federal Ministry of Health (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 40 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 48: Actuary.

(*a*) Where it has reasonable grounds to believe that a licensed health insurance scheme or a manager of the scheme has contravened a provision of this Bill or of the Regulations and the contravention adversely affects the interest of the members, appoint an actuary or

(*b*) At the request of a health insurance scheme, appoint an actuary to investigate and report to the Council the activities and affairs of the scheme (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 48 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 49: Inspection of Organization.

(1) The Commission may for the purposes of supervision of health insurance schemes:

(*a*) inspect the premises, business and affairs, including the procedures and systems of a scheme;

(*b*) inspect the assets, including cash, belonging to or in the possession or control of a person who has a relationship with the scheme;

(*c*) examine and make copies of documents, including accounting records, that belong to or are in the possession or control of a person who in the opinion of the Commission has activities relating to the functions of a scheme.

(2) The Commission may employ suitably qualified and experienced persons to assist or carry out an inspection on its behalf.

(3) Without limiting subsection (1), the Commission shall ensure that an inspection is carried out in respect of a licensed health insurance scheme at least once in every twelve months.

(4) The Commission shall after an inspection compile a report stating the status of the scheme and shall submit a copy of the report including its recommendations to the scheme for compliance where applicable (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 49 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 50: Directives of the Commission.

The Commission may direct a scheme or an officer of a scheme to comply with the directives of the Commission specified in writing and where there is failure to comply, the Commission may apply sanctions as provided for in its Operational Guidelines (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 50 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 51: Director General and other staff of the Commission.

(1) There shall be appointed by the President, on the recommendation of the Minister of Health, a Director General for the Commission following the conduct of a competitive selection process initiated by the Governing Council of the Commission.

(2) The Director General shall:

(*a*) be a person of integrity with relevant professional qualifications and a minimum of 15 years cognate experience in any of the following fields: Economics, Health Economics, Medicine, Accountancy, Insurance, Actuarial Sciences, Business Administration or Public Sector Management with a strong record of academic and professional achievements;

(*b*) be the Chief Executive and Accounting Officer of the Commission;

(*c*) hold office:

(*i*) for a period of 5 years in the first instance and may be re-appointed for a further term of 5 years and no more; and

(*ii*) on such terms and conditions as may be specified in the letter of appointment.

(3) The Director General shall:

(*a*) represent the National Health Insurance Commission in Nigeria and abroad;

(*b*) organize and direct the day-to-day operation of the Commission in accordance with the Act;

(*c*) be responsible for the general direction and control of all other employees of the Commission;

(*d*) be responsible for the administration of the Secretariat of the Council; and

(*e*) be responsible for keeping of the books and proper records of the Commission.

(4) The Director-General shall be a voting member of the Council as well as its Secretary.

(5) The Council shall:

(*a*) appoint, for the Commission, such number of directors and other employees as may, in the opinion of the Council, be required to assist the Council in the discharge of any of its functions under this Bill; and

(*b*) pay to persons so appointed such remuneration (including allowances) as the Council may, after consultation with the National Income, Salaries and Wages Commission, determine (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 51 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 52: Employment in the Commission is Pensionable.

(1) Employment in the Commission shall be in line with approved service for purposes of the Pension Reforms Act.

(2) Employees of the Commission shall be entitled to retirement benefits as provided under the Pensions Act.

(3) Nothing in subsections (1) and (2) of this section or in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

(4) For the purposes of the application of the provisions of the Pension Reforms Act, any power exercisable there under by a Minister or other authority of the Government of the Federation, other than the power to make regulations under the existing Pension Act, is hereby vested in and shall be exercisable by the Council and not by any other person or authority (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 40 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 53: Units of the Commission.

(1) The Units of the Commission shall be as follows:

(*i*) the Governing Council and its committees;

(*ii*) the Director General; and

(*iii*) the Heads of Departments.

(2) The Governing Council, on the recommendation of the management of the Commission, may create or merge departments, divisions and units as the need arises to facilitate the operations of the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 53 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 54: Establishment of Zones and Zonal offices of the Commission.

(1) The Commission with approval of the Council shall divide the country into such number of zones as it may, from time to time, determine, and establish in each Zone, a Zonal Health Insurance Commission Office (in this Bill referred to as "Zonal Office").

(2) The Administration, finances and other functions of the Zonal offices shall be determined by the Council (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 54 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 55: Establishment of Fund for the Commission.

(1) The Commission shall establish and maintain a fund from which all its expenses shall be defrayed.

(2) The fund established under subsection (1) of this section shall consist of:

(*a*) annual subvention from the Federal Government;

(*b*) such money as may be due to the Commission as administrative charge on the Public Health Insurance Funds and the commercial private health insurance funds;

(*c*) fees, fines and commissions charged by the Commission;

(*d*) income from any investments of the Commission;

(*e*) such money as may be received from time to time or be from international or donor organizations and Non Governmental organizations;

(*f*) all other monies which may, from time to time, accrue to the Commission.

(3) The Commission shall, from time to time, apply the funds at its disposal —

(*a*) to the cost of administration of the Commission;

(*b*) to the payment of fees, allowances and benefits of members of the Council;

(*c*) to the payment of salaries, allowances and benefits of officers and employees of the Commission;

(*d*) for the maintenance of any property vested in the Commission or under its administration; and

(*e*) for and in connection with the objectives of the Commission under this Bill.

(4) The Commission shall invest any money not immediately required by it in the Federal Government securities or in such other securities as the Council may determine with the approval of the Minister, from time to time (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 55 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 56: Power to Accept Gifts.

(1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Commission shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the objectives and functions of the Commission under this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 56 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 57: **Annual Accounts.**

(1) The Council shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the during the next succeeding year and when prepared, they shall be submitted to the Minister of Health for approval.

(2) The Council shall cause to be kept proper accounts of the Commission and proper records in relation thereto and when certified by the Council and such accounts shall be audited by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

(3) Any member, agent or employee of the Commission who fails, without reasonable cause, to comply with a requirement of an auditor under subsection (2) of this section, commits an offence and is liable on conviction to a fine not exceeding ₦10,000 (ten thousand naira) or imprisonment for a term not exceeding three months or to both such fine and imprisonment (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 57 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 58: **Annual Reports.**

The Council shall not later than 6 months immediately following the end of a year —

(*a*) submit to the Minister a report on the activities and the administration of the Commission during the immediately preceding year and shall include in the report the audited accounts of the Commission and the auditor's report on the accounts; and

(*b*) present and publish the audited annual accounts, auditor's report on the accounts and reports on the activities of the Commission to Annual Meeting comprising all stakeholders (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 58 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 59: **Exemption from Tax.**

(1) The Commission shall be exempted from the payment of tax on any income accruing from investments made by the Council for the Commission or otherwise.

(2) The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Commission or the Council (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 59 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 60: **Establishment and functions of Arbitration Panel.**

(1) Whenever there is dispute amongst parties under this Bill, the dispute shall first be referred to Arbitration, mediation or conciliation before resorting to litigation.

(2) The parties referred to in (1) above include, the Organizations, the Health Care Providers, the contributors or the Commission or its agents.

(3) The parties shall by mutual consent appoint a 3-man panel of arbitrators (herein after referred to as "the panel").

(4) The applicable Arbitral procedure shall be as provided in the Arbitration and Conciliation Act.

(5) No action shall lie against the Commission without prior notice in writing given 30 (thirty) days before the institution of a legal action against the Commission and the adoption of Arbitration as contained in the Act (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 60 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 61: Establishment of Offences and Penalties by Individuals.

(1) Any person who —

(*a*) fails to pay into the account of the Commission or an organization and within the specified period any contribution liable to be paid under this Bill; or

(*b*) deducts the contribution from the employee's wages and withholds the contribution or refuses or neglects to remit the contribution to the National Health Insurance Fund or an Organization concerned within the specified time; or

(*c*) fails to remit capitation to Healthcare Providers after receiving such from the Commission within the specified period indicated in the Operational Guidelines; or

(*d*) fails to settle fee-for-service or other claims from the Healthcare providers after receipt and verification within the stipulated time allowed in the Operational Guidelines; or

(*e*) deliberately manipulates the enrollee register for the benefit of other parties before or after the release of the register by the Commission; or

(*f*) deliberately refuses to provide care to a duly registered enrollee after receiving payments from the relevant organization on behalf of such enrollee; or

(*g*) deliberately issues dud cheque(s), shall be guilty of an offence.

(2) A person guilty of an offence under subsection (1) of this section other than paragraph (*g*), is liable on conviction —

(*a*) in the case of a first offence, to a fine of not less than ₦100,000 (one hundred thousand naira) or imprisonment for a term not exceeding two years or to both such fine and imprisonment; and

(*b*) in the case of a second or subsequent offence, to a fine of not less than ₦200,000 (two hundred thousand naira) or imprisonment for a term not exceeding five years or not less than two years or to both such fine and imprisonment.

(3) A person guilty of any offence in subsection (1) (*g*) is liable to prosecution under the relevant laws guiding financial transactions (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 61 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 62: Offences by corporate bodies.

(1) Where an offence under this Bill has been committed by a body corporate or firm or other association of individuals, a person who at the time of the offence —

(*a*) was an officer of the body corporate, firm or other associations; or

(*b*) was purporting to act in the capacity of an officer of the body corporate, firm or other association, is deemed to have committed the offence and shall be liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence, unless he proves that the commission or omission constituting the offence took place without his knowledge, consent or connivance.

(2) Officers of Government Ministries, Agencies, Parastatals, Commission or any other in this section, includes:

(*a*) in the case of Government, Ministry, Agency and/or Parastatals, the accounting officer

(*b*) in the case of a body corporate, a director, chief executive by whatever name called, manager and secretary of the body corporate;

(*c*) in the case of a firm, a partner, manager and secretary of the firm;

(*d*) in the case of any other association of individuals, a person concerned in the management of the affairs of the association (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 62 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 63: **Prosecution of Offenders.**

Any person who contravenes any of the provisions of this Bill shall be prosecuted by the Attorney General of the Federation (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 63 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 64: **Jurisdiction.**

The Federal High Court and the High Court of a State and that of the Federal Capital Territory, Abuja shall have —

(*a*) jurisdiction to try offenders under this Bill: and

(*b*) power, notwithstanding anything to the contrary in any other enactment, to impose the penalties provided for the offence in this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 64 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 65: **Court to Order Payment of Contribution.**

(1) The High Court before which a person is convicted of an offence under this Bill may, without prejudice to any civil remedy, order a person to pay to the Commission the amount of any contributions together with interest and penalty thereon, certified by the Commission to be due and payable at the date of the conviction and such amount shall be paid into the account of the Commission for its credit, where applicable or of the employee concerned.

(2) Any contribution paid into the Fund of the Commission under subsection (1) of this section shall be refunded to the Organization entitled to receive the contribution (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 65 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 66: Commencement of Proceedings.

Proceedings for an offence under this Bill may be commenced at any time after the commission of the offence (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 66 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 67: Powers to Sanction.

Notwithstanding anything contained in any other provisions of the sections under part X of this Bill, the Commission shall at all times retain the power to sanction erring Health Maintenance Organizations, Health Care Providers, Mutual Health Associations, Insurance Brokers, Insurance Companies, Banks, or any other operator or Manager licensed or accredited person in line with the Operational Guidelines as may from time to time be issued by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 67 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 68: Limitation of Suit against the Commission.

(1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.

(2) Notwithstanding anything contained in any other enactment, no suit shall lie against the Commission, any member of the Council, the Director General or any other officer or employee of the Commission for anything done in pursuance or execution of this Bill or any other enactment or law, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced —

(*a*) within three months after the act of neglect or default complained of; or

(*b*) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.

(3) No suit shall be commenced against the Commission, a member of the Council, the Director General, officer or employee of the Commission before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent(s).

(4) The notice referred to in subsection (3) of this section shall clearly and explicitly state the cause of action, the particulars of the claims, the name and place of abode of the intended plaintiff and the relief which he claims (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 68 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 69: Service of Documents.

A notice, summon or other document required or authorized to be served on the Commission under the provisions of this Bill or any other enactment of law may be served by delivering it to the Director General or by sending it by registered post and addressed to the Director General at the Head office of the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 69 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 70: Restriction on Execution Against Property of the Commission.

(1) In any action or suit against the Commission no execution or attachment of process in the nature thereof shall be issued against the Commission unless not less than 3 months notice of intention to execute or attach has been given to the Commission.

(2) Any sums of monies which may by the judgment of any court be awarded against the Commission shall, subject to any directions given by the court where notice of appeal of the said judgment has been given, be paid from the Reserve Fund of the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 70 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 71: Indemnity of Officers.

A member of the Council, the Director General, any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any liability incurred by him in defending any proceeding, whether civil or criminal, if any such proceeding is brought against him in his capacity as a member, Director General, officer or other employee of the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 71 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 72: Oaths of Secrecy.

(1) A member of the Council, the Director General, officer or other employee of the Commission shall —

(*a*) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty under this Bill;

(*b*) treat as confidential any information which has come to his knowledge in the exercise of his powers or obtained by him in the performance of his functions under this Bill;

(*c*) not disclose any information referred to under paragraph (*b*) of this subsection except when required to do so by an Arbitration or similar panel of the court or in such other circumstances as may be prescribed by the Council, from time to time.

(2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than ₦20,000 (twenty thousand Naira) or imprisonment for a term not exceeding two years or to both such fine and imprisonment (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 72 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 73: Contributions to be Inalienable.

Contributions payable to the Commission shall be inalienable and shall not be assets for the benefit of creditors in the event of the bankruptcy or insolvency of a contributor or an organization (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 73 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 74: **Contributions of form part of Tax Deductible Expense.**

Notwithstanding anything in any law or enactment, contributions whether by an employer or an employee under this Bill shall form part of tax deductible expenses in the computation of tax payable by an employer or, as the case may be, by an employee, under any other relevant law applicable to income tax (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 74 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 75: **Transfer of Liability.**

Where, under Section 591 of the Companies and Allied Matters Act 1990, an order is made by a court under subsection (3) of that section which includes the transfer to the company of the whole or any part of the undertaking and of the property and liabilities of a transfer or company, the order shall include provisions for the taking over, as from such date as may be specified in the order, of any liability for any contribution which has become due and payable under this Bill (together with any accrued interest thereon) in respect of the employees concerned in the undertaking, property or liability transferred (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 75 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 76: **Exclusive from the Trustee Investment Act.**

The provisions of the Trustee Investment Act shall not apply to any investment made by the Commission under this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 76 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 77: **Reciprocal Agreement with other Countries.**

The Federal Government may enter into a reciprocal agreement with the government of any other country in which a Commission similar to that establishment by this Bill has been established, and the provisions of the agreement shall be read in conformity with the provisions of this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 77 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 78: **Payment of Contribution of Members of the Armed Forces and the Police.**

The Federal Government shall be responsible for payment of the full contributions in respect of members of the Armed Forces, the Nigeria Police Force, Nigerian Customs Service, Nigeria Immigration Service, Nigeria Prisons Service and such other Federal uniformed services as the Minister may by order in the Gazette specify (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 78 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 79: **Insurance Indemnity of Health Care Providers.**

A Health Care Provider shall be required to take a professional indemnity cover from an insurance company approved by the Council (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 79 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 80: **Power of the Minister to give Directives.**

The Minister may, give to the Council directives of a general nature with respect to any of the functions of the Council and it shall be the duty of the Council to comply with such directives or cause them to be complied with (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 80 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 81: **Commission to Issue Regulations and Guidelines.**

(1) The Commission shall make regulations and issue guidelines for the —

(*a*) registration of employers and employees liable to contribute under the Scheme;

(*b*) registration of dependants of employees covered by the Scheme;

(*c*) compulsory payment of contributions by employers and employees, the rates of those contributions and the deduction by the employers of contributions payable by employees under the Scheme from any salary, wage or other money payable;

(*d*) voluntary payment of contributions by self-employed and other persons and rates of such contributions;

(*e*) maintenance of the records to be kept for the Commission and the records to be kept by employers in respect of contributions payable under the Scheme and in respect of their employees;

(*f*) methods of receiving contributions under a Scheme by the Organizations;

(*g*) imposition of surcharges in respect of late payment of contributions by employers or employees;

(*h*) manner and circumstances in which contributions may be refunded;

(*i*) fees which may be charged for medical and dental examinations and services provided and other things done for the purpose of the Scheme;

(*j*) nature and amount of benefits to be provided under a Scheme, the circumstances and the manner in which the benefits shall be provided;

(*k*) nature and amount of capitation payment under a Scheme, the circumstances and the manner in which health care providers shall receive the capitation payment made under a Scheme;

(*l*) reduction, suspension or withdrawal of any payment under a Scheme;

(*m*) submission of returns by employers regarding the employers and their employees;

(*n*) the procedure for assessment of contributions made under a Scheme; and

(*o*) any other matter whatsoever for which, in the opinion of the Commission, it is necessary or desirable to make regulation and issue guidelines for giving effect to a Scheme.

(2) The guidelines issued under subsection (1) (*c*) of this section may provide for different levels of contributions to be payable by different classes of persons.

(3) The guidelines issued under this section shall not be published in the Gazette but the Commission shall ensure that they are brought to the notice of the persons affected by the regulations and guidelines (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 81 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 82: **Repeal of the NHIS Act.**

The National Health Insurance Scheme Act No. 35 1999 is hereby repealed (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 82 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 83: **Citation.**

This Bill may be cited as the National Health Insurance Commission Bill, 2013 (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that Clause 80 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 84: **Interpretation.**

"administrative charge" means a mutually agreed levy on contributions or premiums for the purpose of regulations by the Commission including its programmes (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "administrative charge" be as defined in the interpretation to this Bill, put and agreed to.

"benefit" means a benefit or advantage of any kind whatsoever derived from a health insurance plan (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the word "benefit" be as defined in the interpretation to this Bill, put and agreed to.

"employer" means an employer with five or more employees (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the word "employer" be as defined in the interpretation to this Bill, put and agreed to.

"health care facility" means any government or private health care facility, hospital, maternity centre, pharmacy, physiotherapy, etc. and includes all primary healthcare facility, secondary healthcare facility and tertiary healthcare facility registered by the relevant authorities for the provision of prescribed health services for insured persons and their dependants under this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "health care facility" be as defined in the interpretation to this Bill, put and agreed to.

"HMO" means any health maintenance organization accredited under section 19 of this Bill to purchase health care services through health care providers approved by the relevant authorities (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the abbreviation "HMO" be as defined in the interpretation to this Bill, put and agreed to.

"Public sector health insurance plans" means health insurance plans designed to cover public sector employees and their dependants as well as vulnerable groups (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "Public sector health insurance plans" be as defined in the interpretation to this Bill, put and agreed to.

"Private commercial health insurance plans" means health prepaid plans which are organized by Health Maintenance Organizations and other private organizations to cover people in private employment (formal) as well as individuals who join on voluntary basis (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "Private commercial health insurance plans" be as defined in the interpretation to this Bill, put and agreed to.

"Private mutual health insurance plans" means health prepaid plans organized for the informal sector (e.g. communities, work- or group- based organizations, etc.) by mutual health associations and other such bodies (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "Private mutual health insurance plans" be as defined in the interpretation to this Bill, put and agreed to.

"plan" means any scheme approved by the Commission (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the word "plan" be as defined in the interpretation to this Bill, put and agreed to.

"relevant authority" means any Federal, State, Federal Capital Territory or Local Government Agency which has a function relevant to the operation of this Bill (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "relevant authority" be as defined in the interpretation to this Bill, put and agreed to.

"Vulnerable Group" means children under 5, pregnant women, the aged, the physically and mentally challenged, the unemployed and the indigent, etc. (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "Vulnerable Group" be as defined in the interpretation to this Bill, put and agreed to.

"Voluntary Contributors" means individuals who fall into the following groups:

(*a*) political appointees who are excluded from the Public Sector Health Insurance Programme;

(*b*) employers of labour with less than five employees; and

(c) individuals ordinarily in the informal sector (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question that the meaning of the words "Voluntary Contributors" be as defined in the interpretation to this Bill, put and agreed to.

Question that Clause 84 *stand part of the Bill, put and agreed to.*

Long Title:
A Bill for an Act to repeal the National Health Insurance Scheme Act, No. 35 of 1999 and to enact the National Health Insurance Commission Act to Provide for the Establishment of the National Health Insurance Commission, Registration of Health Maintenance Providers, Promotion and Regulation of Health Insurance Schemes and for Related Matters (*Hon. Ndudi Godwin Elumelu —Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question put and agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considerd the Report of the Committee on Health on a Bill for an Act to Repeal the National Health Insurance Scheme Act, No. 35 of 1999 and Re-Enact the National Health Insurance Commission (HB. 204) and approved Clauses 23 - 84, all as renumbered and the Long Title.

Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

17. **Adjournment:**
That the House do now adjourn till Tuesday, 16 *April*, 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.21 *p.m.*

Aminu Waziri Tambuwal
Speaker