

*Committee of Inquiry (Malpractices in Insurance
Claims and Related Matters) Act, 1983*

P.N.D.C.L. 60

**COMMITTEE OF INQUIRY (MALPRACTICES IN INSURANCE CLAIMS
AND RELATED MATTERS) ACT, 1983**

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of Committee of Inquiry.
2. Membership of Committee.
3. Terms of reference.
4. Contents of recommendations.
5. Staff of Committee.
6. Meetings of Committee.
7. Summons to attend.
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SCHEDULE

Membership of Committee

P.N.D.C.L. 60

**COMMITTEE OF INQUIRY (MALPRACTICES IN INSURANCE CLAIMS
AND RELATED MATTERS) ACT, 1983¹**

AN ACT to set up a committee of inquiry to investigate certain malpractices and to provide for related matters.

1. Establishment of Committee of Inquiry

There is hereby established a committee of inquiry to be known as the Committee of Inquiry (Malpractices in Insurance Claims and Related Matters).

2. Membership of Committee

The Committee shall consist of the persons specified in the Schedule.

3. Terms of reference

The terms of reference of the Committee are,

- (a) to investigate the extent of involvement of legal practitioners in the making of fraudulent claims to the detriment of workers and any other members of the public;

1. This Act was issued as the Committee of Inquiry (Malpractices in Insurance Claims and Related Matters) Law, 1983 (P.N.D.C.L. 60) made on the 27th day of May, 1983 and notified in the *Gazette* on 15th July, 1983.

- (b) to investigate the extent to which medical practitioners have contributed to the making of fraudulent claims through the issuing of false medical certificates or any other fraudulent means;
- (c) to investigate the extent of involvement of members of the Police Service in the making of fraudulent claims through the preparation of fake police reports and any other fraudulent means;
- (d) to ascertain the extent to which the staff of insurance companies or any other insurers have connived with other persons in the making of fraudulent claims;
- (e) to investigate complaints and allegations by a person or group of persons of fraudulent claims made by a person or of unreasonable demands made by a person for a claim;
- (f) to investigate allegations of the operation of insurance rackets in the making of claims;
- (g) to investigate any other matter which in the opinion of the Committee is reasonably related to its terms of reference and which the Committee is satisfied should be investigated;
- (h) to submit its findings to the President giving reasons and making the recommendations to the President in respect of its findings that the Committee considers appropriate;²
- (i) to recommend to the President ways and means of simplifying and streamlining the process of claiming payments under insurance policies so as to enable the members of the public to reap maximum benefit from their claims;
- (j) to recommend to the President how best the public could be educated on insurance matters.

4. Contents of recommendations

The recommendations of the Committee referred to in section 3 (h) may, without prejudice to the generality of that section, include

- (a) the prosecution before a court of competent jurisdiction of a person who has in any way been involved in the making of fraudulent claims;³
- (b) reference of the findings to the appropriate professional body to take disciplinary or any other action against a member of the professional body for a professional misconduct or negligence disclosed by the findings.

2. The Law made reference to the Provisional National Defence Council.

3. The reference to the Public Tribunals has been replaced by a court of competent jurisdiction.

5. Staff of Committee

In addition to the secretary, the President may provide to the Committee the services of public officers as required by the Committee for the performance of its functions.

6. Meetings of Committee

(1) The Committee shall meet at the times and at the places that it may determine.

(2) The Committee may at any time engage the services of a person to attend any of its meetings as an adviser.

(3) Subject to the provisions of this Act, the Committee shall regulate its own procedure.

(4) The chairman of the Committee shall preside at the meetings of the Committee, and in the absence of the chairman a member elected by the other members shall preside.

(5) The quorum of the Committee is three.

7. Summons to attend

(1) The Committee may by summons issued and signed personally by the chairman require a person

(a) to attend at the time and place specified in the summons to give evidence or to produce a document in the possession or control of that person which relates to a matter specified in the summons, or

(b) to give the Committee an information that may be specified in the summons.

(2) A person summoned to appear before the Committee under subsection (1) may be examined on oath and the Committee may for that purpose administer the oath.

8. Offences

A person who

(a) refuses or wilfully neglects to attend in obedience to a summons issued under subsection (1) of section 7, or to give evidence as required by the summons, or

(b) wilfully alters, suppresses, conceals, destroys or refuses to produce a document which that person is required to produce by the summons, or

(c) refuses or wilfully neglects to furnish an information required of that person by the summons,

commits an offence, and is liable on summary conviction to a fine not exceeding two hundred and fifty penalty units or to a term of imprisonment not exceeding twelve months or to both the fine and the imprisonment.

SCHEDULE

[Section 2]

Membership of Committee

1. Dr. S. Gepi-Atee *Chairman*
 2. Mr. Kofi Acqaah *Member*
 3. Mr. A. A. Ampofo *Member*
 4. Mrs. E. L. Nkansah *Member*
 5. Mr. Bankie Forster Bankie *Member/Secretary.*
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