

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for restructuring of health services academy as a degree awarding institute

WHEREAS it is expedient to provide for restructuring of health services academy as a degree awarding institute in order to provide it autonomy while improving governance and management thereof so as to enhance quality of higher education in the country;

It is hereby enacted as follows:-

**CHAPTER I
PRELIMINARY**

1. Short title, extent and commencement.— (1) This Act may be called the Health Services Academy (Restructuring) Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

(i) “academic council” means the academic council constituted under this Act;

(ii) “Academy” means the health services academy established under the Health Services Academy Ordinance, 2002 (LXII of 2002);

(iii) “affiliated college” means an educational institution affiliated to the HSA but not maintained or administered by it;

(iv) “Authority” means any of the Authorities of the HSA specified or set up under section 17;

(v) “Chancellor” means the Chancellor of the HSA;

(vi) “college” means a constituent college or an affiliated college;

(vii) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);

(viii) “constituent college” means an educational institution, by whatever name described, maintained and administered by the HSA;

- (ix) "Dean" means head of department or head of faculty or head of an academic body granted the status of a faculty by this Act or by the statutes or regulations;
- (x) "department" means a teaching department maintained and administered or recognized by the HSA in the prescribed manner;
- (xi) "director" means head of an institute established as a constituent institution by the HSA by statutes or regulations in terms of the powers conferred by this Act;
- (xii) "faculty" means an administrative and academic unit of the HSA consisting of one or more departments, as may be prescribed;
- (xiii) "Government" means the Federal Government;
- (xiv) "Health Services Academy" or "HSA" means the Academy restructured under this Act as a degree-awarding institute;
- (xv) "HSA teacher" means a whole-time teacher appointed and paid by the HSA or recognized by the HSA as such;
- (xvi) "prescribed" means prescribed by statutes, regulations or rules made under this Act;
- (xvii) "principal" means head of a college;
- (xviii) "Pro-Chancellor" means the Pro-Chancellor of the HSA;
- (xix) "Rector" means the Rector of HSA;
- (xx) "representation committees" means the representation committees constituted under section 25;
- (xxi) "review panel" means the review panel set up by the Chancellor in accordance with the provisions of sub-section (5) of section 8;
- (xxii) "search committee" means the search committee set up by the Senate under section 12;
- (xxiii) "Senate" means the Senate of the HSA;
- (xxiv) "statutes", "regulations" and "rules" mean respectively the statutes, the regulations and the rules made under this Act;
- (xxv) "Syndicate" means the Syndicate of the HSA;
- (xxvi) "teachers" include professors, associate professors, assistant professors and lecturers engaged whole-time by the HSA or by a constituent or affiliated college and such other persons as may be declared by regulations to be teachers; and

(xxvii) "Vice Chancellor" means the Vice Chancellor of the HSA.

CHAPTER II HEALTH SERVICES ACADEMY

3. Incorporation.— (1) The health services academy established under the Health Services Academy Ordinance, 2002 (LXII of 2002) stands restructured, to be called as the Health Services Academy, as degree awarding institute in accordance with the provisions of this Act.

(2) The HSA shall consist of the following, namely:-

- (a) the Chancellor, Pro-Chancellor, the members of the Senate and the Vice Chancellor;
- (b) the members of the Authorities of the HSA established under section 17;
- (c) all HSA teachers and persons recognized as students of the HSA in accordance with the terms as may be prescribed from to time; and
- (d) all other full-time officers and members of staff of the HSA.

(3) The HSA shall be a body corporate having perpetual succession and a common seal and it may sue and be sued by the said name.

(4) The HSA shall be competent to acquire and hold property, both movable and immovable and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.

(5) Notwithstanding anything contained in any other law for the time being in force, the HSA shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act and the Higher Education Commission Ordinance, 2002 (LIII of 2002). In particular, and without prejudice to the authority granted to the Commission by law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Senate in the annual budget of the HSA.

(6) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in or held in trust by Academy before commencement of this Act and liabilities legally subsisting before such commencement against Academy stand passed to the HSA restructured under this Act.

4. Powers and functions of the HSA.— The HSA shall have the following powers, namely:-

- (i) to provide for instruction and training in health including animal sciences, technology and other allied disciplines in such manner as it considers appropriate so as to produce competent, imaginative, skilled and committed health professionals, doctors, scientists and experts;

- (ii) to undertake joint investigation and collaborative research in the field of health sciences, biomedical technology and other allied disciplines;
- (iii) to provide assistance to health and allied professions, institutions and organizations in Pakistan and abroad through expert advice, consultations, institutional consultancies and in any other manner as it may deem fit;
- (iv) to promote, contact and establish linkages with national and international institutions and other academic, research and development organizations in Pakistan and abroad for effective discharge of its functions and responsibilities;
- (v) to pursue and make provisions for research, innovations, inventions, demonstrations and other services as it may deem fit;
- (vi) to print, publish and circulate periodicals, journals, magazines and books and disseminate scientific, technological and other related knowledge and information conducive to the attainment of any of the objectives of the HSA;
- (vii) to prescribe courses of studies in health sciences, biomedical technology and other allied disciplines and to decide teaching methods and strategies in order to ensure the most effective educational and training programmes;
- (viii) to establish field demonstration areas, laboratories, museums and other facilities for training, education and research;
- (ix) to affiliate or associate itself with other institutions and to establish faculties in Pakistan or abroad for effective discharge of its functions;
- (x) to enter into agreements, contracts and arrangements with organizations, institutions, bodies and individuals for the purpose of carrying out its functions and activities;
- (xi) to provide for education and scholarship in such branches of knowledge as it may deem fit and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- (xii) to prescribe courses of studies to be conducted by it and the colleges;
- (xiii) to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;