

ORDINANCE NO. XII OF 2020

AN

ORDINANCE

*to re-organize as a body corporate the Federal medical teaching institutes  
and teaching hospitals thereof*

WHEREAS it is expedient to re-organize and provide autonomy to the Federal medical teaching institutes and their affiliated teaching hospitals to enhance the services being rendered by the institutions to improve performance,

enhance effectiveness, efficiency and responsiveness for the provision of quality healthcare services and education and to make them into state of the art model institution of Pakistan;

AND WHEREAS the Senate and the National Assembly are not in session and the President of the Islamic Republic of Pakistan is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

1. **Short title, application and commencement.**—(1) This Ordinance shall be called the Federal Medical Teaching Institutes Ordinance, 2020.

(2) It shall apply to all Federally owned or operated medical teaching institutes, its affiliates and subsidiaries thereof in Pakistan.

(3) It shall come into force at once.

CHAPTER II

DEFINITIONS

2. **Definitions.**—In this Ordinance, unless the context otherwise requires,—

- (a) “basic science faculty” means a medical faculty not involved in patient care;
- (b) “Board” means the Board of Governors constituted under section 4;
- (c) “Chairperson” means the Chairperson of the Board;
- (d) “clinical faculty” means a medical faculty involved in any manner with a clinical care of patients, whether diagnostic or therapeutic;
- (e) “college” means a medical college, dental or a nursing college in the public sector;
- (f) “consultant” means and includes—

- (i) those medical faculties involved in patient care; or
  - (ii) those staff who act as service provider to the patients in the hospital;
- (g) "dean" means the academic head of the medical teaching institution;
- (h) "employee" means a person who is—
- (i) an employee appointed by the Board of the medical teaching institution under this Ordinance or rules and regulations made there-under; or
  - (ii) a civil servant who has opted to become an employee of the medical teaching institution under section 17.
- (i) "medical faculty" means and includes the basic science faculty and clinical faculty which includes senior registrar and above as well as dean of the medical teaching institute, involved in teaching, training or patient care;
- (j) "Government" means the Federal Government;
- (k) "healthcare services" means preventive, curative, promotive, rehabilitative health services and include diagnostic, support services, laboratory, accident and emergency, pharmacy and paramedic support;
- (l) "member" means a member of the Board and includes Chairperson;
- (m) "medical teaching institution" means a public sector medical, dental or nursing college or any other medical teaching institution and their affiliated teaching hospitals located anywhere in Pakistan owned and controlled by the Federal Government and included or notified by the Federal Government in Schedule-I to this Ordinance;
- (n) "prescribed" means prescribed by rules or regulations made under this Ordinance;
- (o) "regulations" means regulations made under this Ordinance;
- (p) "rules" means rules made under this Ordinance;

- (q) "search and nomination council" means search and nomination council notified by the Government under section 7, and
- (r) "Tribunal" means the Federal Medical Teaching Institutions Tribunal established under this Ordinance.

### CHAPTER III

#### MEDICAL TEACHING INSTITUTE

3. **The medical teaching institution.**—(1) The institutions included in Schedule-I shall be medical teaching institutions established under this Ordinance as a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of movable and immovable property and may in its name sue and be sued.

(2) The objective of the medical teaching institution shall be to undertake all functions required for providing health facilities and healthcare services to the people and to provide medical education and training and research and to perform such other functions as are assigned to it by the Government from time to time.

4. **Board of Governors.**—(1) There shall be a Board of Governors of the medical teaching institution to administer and manage its affairs and shall have overall superintendence and control over the functions and all their related matters.

(2) The Board of Governors shall comprise such number of members as may be determined by the Government but shall neither be, less than three members and nor exceed seven members and all of whom shall be from the private sector.

(3) The members shall be appointed by the Government on the recommendation of the search and nomination council constituted under section 7:

Provided that the members shall, unless otherwise directed by the Government, hold office for a period of three years and be eligible for re-appointment.

(4) The members may include eminent technical and professional persons in their respective fields having significant aptitude and time available for improving the hospital services, such as legal, finance, economics, management, medical profession, retired civil servants, educationists, social workers, representatives of civil society, businessmen and renowned philanthropists.

(5) The Chairperson shall be elected by the members through voting from amongst themselves and he shall preside over the Board meetings. In case of his absence, the Chairperson may nominate a Board member as acting Chairperson or if he has not done so, the members present shall elect an acting Chairperson for that meeting.

(6) The membership of a member shall cease and fall vacant if the member resigns, or fails to attend three consecutive meetings of the Board without sufficient cause or for any other reasons which incapacitate the member to remain as member. Any such vacancy shall be filled within one month.

(7) The membership of a member may be terminated by notification in the official Gazette on grounds of incompetence or for reasons noted in sub-section (8) or in view of actions of such member which bring the medical teaching institution or the Board into disrepute.

(8) No person shall be appointed or remain as a member of the Board, if such person—

- (a) is by a competent court of law declared as of un-sound mind;
- (b) has before a court of law applied to be adjudicated as an insolvent and his application is pending;
- (c) is by a competent court of law declared an un-discharged insolvent;
- (d) has been by a court of law convicted for an offence involving moral turpitude;
- (e) has been debarred from holding any office under any law; or
- (f) has a conflict of interest with such a position.

5. **Conduct of business.**—(1) All decisions of the Board shall be taken by consensus and in case of division of opinion, the decision shall be taken by majority of votes:

Provided that in case of equality of votes, the Chairperson of the Board shall have a second casting vote.

(2) No act or proceedings of the Board shall be invalid merely on the ground of existence of any vacancy in or defect in constitution of the Board, subject to the condition that any act or proceeding of the Board taken by less than three members on account of vacancies shall be ratified immediately by the Board upon the minimum membership of the Board prescribed under sub-section (2) of section 4.