



The Sindh Government Gazette

Published by Authority

KARACHI MONDAY JUNE 6, 2016

PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi dated the 6th June, 2016.

THE SINDH TEACHING HOSPITALS (ESTABLISHMENT OF MANAGEMENT BOARDS) ORDINANCE 2016.

AN ORDINANCE

to provide for the establishment of Management Boards for teaching hospitals in the Province of Sindh.

WHEREAS it is expedient to provide for the establishment of Management Boards for teaching hospitals in the Province of Sindh to provide quality and affordable health care to all sections of the society and to provide for the matters ancillary thereto; **Preamble.**

AND WHEREAS the Provincial Assembly is not in session and the Governor 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 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance:-

- (1) This Ordinance may be called the Sindh Teaching Hospitals (Establishment of Management Boards) Ordinance 2016.

Short title, and commencement.

(2) It shall come into force at once.

(3) Government may by notification in the official gazette, apply this Ordinance to teaching hospitals of the Province of Sindh operating under its administrative control.

Definitions.

2. In this Ordinance, unless there is anything repugnant in the subject or context -

- (a) "Board" means Management Board for a teaching hospital established under section 3;
- (b) "Chairperson" means Chairperson of the Board to be appointed by Government under section 4;
- (c) "Government" means the Government of Sindh;
- (d) "teaching hospitals" means a hospital affiliated with Medical Colleges and Medical Universities and operating under the administrative control of Government;
- (e) "prescribed" means prescribed by rules or regulation made under this Ordinance; and
- (f) "regulations and rules" means regulations and rules made under this Ordinance.

Establishment of Management Boards for Teaching

3. (1) Government may by notification in the official gazette establish Management Boards in the teaching hospitals in the Province of Sindh.

Hospitals.

(2) The Management Board shall be a body corporate, having perpetual succession and common seal, with power to acquire and hold property as prescribed and may, by its name, sue and be sued.

Constitution of Board.

4. (1) Subject to control and directions of Government, the Management Boards shall be the principal governing body of a teaching hospital and its administration and management shall vest in the Board which shall consist of a Chairperson to be appointed by the Government and such official and non-official members as follows:-

- (i) Secretary Health Member
- (ii) Medical Superintendent of a Teaching Hospital. Member
- (iii) Vice Chancellor of the University or Principal of the Medical College in case of Medical Colleges, with which the teaching hospital is affiliated Member
- (iv) Commissioner of the Division or Deputy Commissioner of the District, as the case may be Member
- (v) Mayor, Municipal Corporation or Chairperson of Municipal Committee Member
- (vi) Five non official members to be nominated by Government from amongst the members of civil society, philanthropist, Members

distinguished businessmen, representative
of Non-governmental Organizations,
retired health professionals

(2) The Medical Superintendent of a teaching hospital shall act as the Secretary of the Board.

(3) The Secretary Health shall be represented by an officer not below the rank of Director (Health) Services or District Health Officer, as the case may be and Vice Chancellor shall be represented by the Dean of Faculty or Registrar of the University.

(4) The procedure for the selection, tenure and removal of non-official members shall be prescribed by rules.

(5) A member, other than an ex-officio member, may resign from his office by serving one month's notice in writing to Chairperson.

(6) No act or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy, or defect in the constitution of the Board.

5. The Board shall have the powers to -

**Power and
Function of
Board.**

- (a) approve overall plans, policies and programs of teaching hospitals in accordance with approved policy of Government;
- (b) approve the annual development and non-development budget of a teaching hospital;
- (c) examine and approve the annual and periodic report and evaluation reports of the teaching hospital for submission to Government;
- (d) determine the charge fees for admission, clinical and procedural service and facilities with prior approval of Government;
- (e) determine the modalities for the medical treatment of private patients;
- (f) approve training and research programs for officers and staff of teaching hospital;
- (g) supervise teaching programs in consultation with relevant Medical Universities and College of Physician and Surgeon, Pakistan;
- (h) be responsible for generating resources for teaching hospital through grants, donations, contribution and other such means;
- (i) examine administrative and financial powers delegated under this Ordinance;
- (j) do all such acts and things as may be necessary for the smooth functioning of a teaching hospital.

**Function of
Medical
Superintendent.**

6. The Medical Superintendent shall -

- (a) be the head of health institution;
- (b) be responsible for all matters relating to hospital management and patient care and shall discharge all duties entrusted by the Board and Chairperson;
- (c) plan and promulgate comprehensive patient care and clinical facility programs in the teaching hospital with the approval of the Board in order to raise the standards of health delivery as Government may from time to time prescribe;
- (d) maintain discipline in teaching hospital including punctuality, conduct and performance of its officers and staff;
- (e) sign and issue experience, work conduct certificate in respect of interns, postgraduate students and other doctor upto Senior Registrar level. He shall also certify the patient care activities performed by clinical staff upto Senior Registrar level;
- (f) be responsible for maintaining clinical and administrative matters;
- (g) ensure the compliance of steps proposed by Board, Chairperson and Government;
- (h) be responsible for proper maintenance of equipment and machinery of health institution; and
- (i) do such acts and things as may be assigned to him by the Board in further the objectives of the teaching hospital.

**Appointment and
Function of Chief
Operating Officer
(Finance).**

7. (1) Government shall appoint any person as Chief Operating Officer (Finance), having such qualification and on such remuneration as determined by the Board inclusive of allowances and facilities.

(2) The Chief Operating Finance shall -

- (a) be the Chief Accounts Officer and coordinate and supervise all financial matters of teaching hospitals;
- (b) keep all accounts of a teaching hospital and ensure its audit in accordance with regulations;
- (c) render financial advice to the Chairperson on matters on having financial implications;
- (d) coordinate with the heads of department and Medical Superintendents on financial matters for smooth functioning of the Teaching Hospital;

- (e) be responsible to supervise proper functioning of budget and finances of health institution besides preparation of budget estimate;
- (f) prepare detail regulations and procedure for financial management of teaching hospitals for approval of the Board; and
- (g) ensure transparency in procurement in goods and services.

8. (1) The teaching hospitals shall be responsible for providing training to health care staff, providing quality health care facilities to the people and performing such other functions as may be prescribed. **Function of Teaching Hospital.**

(2) The persons serving in Teaching Hospitals in any capacity immediately before the commencement of this Ordinance shall notwithstanding any law or terms of their service shall be placed at the disposal of the Board for the health service delivery and they shall continue to be governed by the Sindh Civil Servants Act 1973 and rules made thereunder and such other terms and conditions of their service.

9. (1) There shall be established a Fund known as the Teaching Hospital Management Board Fund which shall vest in the Board to meet the charges in connection with its functions under this Ordinance and rules made thereunder. **Board Fund.**

(2) The Fund established under sub-section (1) shall consist -

- (a) such sums as Government may, from time to time, allocate to it in the annual budget;
- (b) grants made by the Provincial Government, Federal Government or Local Government;
- (c) income from Investment by Board; and
- (d) all other sums or properties which may in any manner become payable to, or vest in, the Board in respect of any manner.

(3) The Board, while performing its functions and exercising his powers, shall exercise highest sense of prudence as far as expenditure are concerned.

10. The Fund shall be expended for the purpose of -

- (a) paying any expenditure lawfully incurred by the Board, relating to remuneration of its members, employees, advisors, and consultants of the Board, including provident fund contributes superannuating allowances or gratuities, legal fees and costs as well as other fees and costs;
- (b) paying any other expenses, costs or expenditure properly incurred or accepted by the Board in the performance of its functions or the exercise of its powers under this Ordinance;

Expenditure to be charged on Fund.

- (c) purchasing or hiring equipment, machinery and any other work and undertakings in the performance of its functions or the exercise of its powers under this Ordinance;
- (d) repaying any financial accommodation received; and
- (e) generally paying any expenses for carrying into effect the provision of this Ordinance.

Budget and accounts.

18. The Board shall cause its accounts to be maintained properly and in respect of each financial year submit for approval of Government by such date and in such form as may be specified by Government, a statement showing the estimated receipts and current expenditure and the sums to be required from Government during the next financial year.

Maintenance of accounts.

19. The Board shall cause proper accounts to be kept and shall after the end of each financial year cause to be prepared for that financial year a statement of accounts of the Board which shall include a balance sheet and an account of receipt and expenditure.

Audit and accounts.

17. (1) The Board shall maintain accounts of receipts and expenditure in accordance with the rules.

(2) The Board shall maintain an internal Audit Division which shall regularly undertake institutional internal check and control.

(3) The accounts of the Board shall be annually audited through a firm of external Chartered Accountants approved by the Board or through Auditor General of Pakistan and the report of the Chartered Accountant or Auditor General or Pakistan along with audited accounts shall be presented to Government.

Submission of Reports.

20. (1) The Board shall submit an annual report to Government in respect of any of its activities and furnish such information as and when required by Government.

(2) The Board may post all relevant information in a user-friendly manner on its website.

Constitution of Committees.

14. The Board may constitute such committees or sub-committees as it may deem necessary for going effect to the provisions of this Ordinance.

Delegation of powers.

21. The Board may, by general or special order, delegate any of its powers, functions and duties, to the Chairperson, member or any officer or Committee of the Board.

Rules.

16. Government may make rules for carrying out the purposes of this Ordinance.

17. If any difficulty arises in implementation of the provision of this Ordinance, Government may on the recommendation of the Chairperson or otherwise, give appropriate direction to remove such difficulties. **Removal of Difficulties.**
18. No court have jurisdiction to entertain any proceeding, grant any injunction or make any order in relation to anything which is done or purported to have been done and intend to be done in good faith under this Ordinance. **Bar of Jurisdiction.**
19. No suit or legal proceedings shall lie against Government, the Board or any person in respect of anything which is done or purported to have been done or intended to be or has been done in good faith under this Ordinance. **Indemnity.**

(DR. ISHRAT-UL-EBAD KHAN)
GOVERNOR OF SINDH

Karachi,
Dated: 2nd June, 2016.

PARKASH LAL AMBWANI
ACTING LAW SECRETARY