



The Sindh Government Gazette

Published by Authority

KARACHI MONDAY JUNE 12, 2023

PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 08TH JUNE, 2023

NO.PAS/LEGIS-B-04/2022-The Sindh Physiotherapy Council Bill, 2022 having been passed by the Provincial Assembly of Sindh on 12th May, 2023 and assented to by the Governor of Sindh on 01st June, 2023 is hereby published as an Act of the Legislature of Sindh.

THE SINDH PHYSIOTHERAPY COUNCIL ACT, 2022.

SINDH ACT NO. XIII OF 2023

AN
ACT

to establish a Council known as the Sindh
Physiotherapy Council.

WHEREAS it is expedient to establish a Council known as the Sindh Physiotherapy Council in the Province of Sindh to recognize the physiotherapy qualifications and regulate the Physiotherapy profession, Physiotherapy education and Institutions and to provide for matters connected therewith or ancillary thereto;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Physiotherapy Council Act, 2022. Short title, extent and commencement.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once.

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

(a) "Academic Boards" means the recognized Academic Boards included in the Sixth Schedule;

(b) "approved hospital or institution" means a hospital or institution included in the Second Schedule;

(c) "Council" means the Council established under this Act;

(d) "continuous professional development" means skill enhancement and improvement in personal and professional competence which may -

(i) comprise lectures, seminars, courses, individual study or other activities undertaken by a registered Physiotherapist;

(ii) advance a registered Physiotherapist's development in his profession; and

(iii) be relevant to the practice of registered Physiotherapist;

(e) "Committee" means the committee constituted under this Act and includes Executive Committee constituted under section 10;

(f) "continuous professional development opportunity provider" means an organization providing continuous professional development opportunities and included in the Second Schedule;

(g) "Department" means the Health Department, Government of Sindh;

(h) "Fund" means the Sindh Physiotherapy Council Fund established under this Act;

(i) "Government" means the Government of Sindh;

(j) "house job or foundation year or internship" means hands on training in clinical subjects on a rotational basis in an approved hospital or institution after provisional registration as a prerequisite for full registration under section 24;

(k) "institution" means the physiotherapist or physical therapist institution recognized under this Act which trains for or grants degrees or diplomas in physiotherapy or physical therapy as included in the First Schedule;

(l) "President" means the President of the Council;

(m) "prescribed" means prescribed by regulations;

(n) "Province" means the Province of Sindh;

(o) "recognized physiotherapy qualification" means any basic physiotherapy or Physical therapy qualification included in the Fifth Schedule;

(p) "recognized additional Physiotherapy qualification" means any additional Physiotherapy or Physical therapy qualification included in the Third Schedule;

(q) "Registrar" means the Registrar/Secretary appointed under this Act;

(r) "register" mean the register of Physiotherapist practitioners maintained under section 24;

(s) "registered Physiotherapy Practitioner" means a physiotherapist or physical therapist practitioner whose name is included in the register maintained under section 24;

(t) "regulations" mean the regulations made under this Act;

(u) "registerable qualifications" means the physiotherapy qualifications recognized under sections 11, 14, 15 and 16;

(v) "rules" means rules made under this Act;

(w) "University" means a University established under the law of Sindh and having a constituent physiotherapy college with Physiotherapist as a Principal having the basic qualification in Physical therapy, within the Province of Sindh;

(x) "Vice President" means the Vice President of the Council.

3. (1) As soon as after commencement of this Act, Government shall, by notification in the official gazette, establish a Council to be called the Sindh Physiotherapy Council for carrying out the purposes of this Act. Incorporation of the Council.

(2) The Council shall be a body corporate by the name of the Sindh Physiotherapy Council, having perpetual succession and a common seal, with power to acquire and hold property both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The Council shall regulate the Physiotherapy profession, Physiotherapy education and institutions.

(4) The headquarters of the Council shall be at the Karachi and it may establish office(s) at such place(s) as the Council may consider necessary.

4. (1) The Minister for Health shall be the Patron of the Council who shall be its ceremonial head. Composition of the Council.

(2) The Council shall consist of the President and Vice President and such other following members:-

(a) Secretary, Health Department Sindh; ex-officio member;

(b) Secretary, Department of Empowerment of Persons with Disabilities, Sindh; Ex-officio member;

(c) One eminent person from civil society who shall neither be a doctor nor shall be a Physiotherapist;

(d) Two members from Provincial Assembly of Sindh (1 male and 1 female) to be nominated by the Speaker, Provincial Assembly;

(e) One member from the physical therapy profession having basic physical therapy degree from HEC recognized institution, has atleast twenty years' experience.

(f) Representatives from public or private physical therapy teaching institutions from each Division of Province who shall be the Principals, having qualification of Masters/PhD degree in Physical Therapy/Physiotherapy recognized by the HEC (nominated by Health Department amongst eligible institutes as per the Act); provided that if there are more than one physical therapy institution in a Division, the Department shall select one representative from amongst the said institutions; provided further that if there is no public or private physical therapy institution exists in a Division, the Representative from the adjacent Division where such institution exists, shall be nominated by the Health Department.

(g) One eminent lawyer nominated by KBC/SBC.

(3) No act of the Council shall be invalid on the ground merely of existence of any vacancy in or any defect in the constitution of the Council.

(4) The President shall be the head of the Council and shall be the competent authority for all employees of the Council.

(5) The Registrar/Secretary shall have the power to administer the day to day affairs and the financial matters of the Council and shall be answerable to the President and the Council.

5. (1) The President and the Vice President shall be elected by the members of the Council from amongst themselves; provided that the persons referred to in clause (a) to (c) of sub-section (1) of section 4 shall not be eligible for the election of President and Vice President. Mode of election.

(2) No person shall be eligible for election of the President unless having a title of Professor or Associate Professor and holding a HEC recognized Ph.D degree in Physical Therapy and the Vice President having HEC recognized Master's degree in Physical Therapy/Physiotherapy, possessing vast experience in the field of Physical Therapy.

(3) The Department shall, by notification in the official Gazette, nominate one of its senior officers who is at least of BPS-20, and who shall be responsible for ensuring the constitution of the first Council through the electoral process to be conducted within one eighty (180) days from the date of the commencement of this Act.

6. (1) The President and Vice President shall hold office for a term of three years extendable for another three years by the consent/notification of Health Department. Terms of Office.

(2) A member other than ex-officio member shall hold office for a term of three years from the date of his nomination or election or until his successor has been duly nominated or elected, whichever is earlier.

(3) If a member fails to attend three consecutive meetings without cogent reason of the Council or remains absent for a continuous period exceeding one year shall cease to be the member of the Council and shall be disqualified for further election for the President or Vice President.

(4) The case of a member of the Council, other than the member nominated under clauses (a) and (b) of sub-section (1) of section 4, shall be forwarded to Government for decision of maintaining his membership to Health Department or otherwise in the following circumstances, namely-

(i) if the Council decides by a majority of the members present at the meeting that his membership is not in the interest of the Council; or

(ii) he has become insane or is declared an insolvent by a competent court; or

(iii) he is convicted for a criminal offense which implies moral turpitude, including unprofessional and infamous conduct as provided in section 31.

(5) Where the said term of three years is about to expire in respect of any member, his successor may be nominated or elected at any time within three months before the said term expires, but shall not assume office until the expiry of the said term.

(6) An elected or nominated member may, at any time, resign his membership by writing under his hand addressed to the President and the seat of such member shall be deemed to have fallen vacant from the date of acceptance of resignation by the President.

(7) A vacancy in the Council under sub-sections (3) and (7) shall be filled through election or nomination, as the case may be, and the person elected or nominated to fill the vacancy shall hold office for the residue of the term.

(8) A President or Vice President may, at any time, resign from his office by writing under his hand addressed to the Council through the Registrar/Secretary and the office of the President or Vice President, as the case may be, shall be deemed to have fallen vacant from the date of acceptance of his resignation.

(9) In case of absence of President or the office of the President has fallen vacant due to any reason, the Vice President shall act as a President and he shall be responsible for conducting the election of the President within ninety days from the date the office of the President shall be fallen vacant.

7. (1) The meetings of the Council shall be regulated by regulations but until regulations are framed, the meetings shall be held as and when required by the President or in his absence Vice-President, as the case may be; provided that the meeting shall be held atleast once in quarter. Meetings of the Council.

(2) Two-third of the total membership of the Council shall constitute a quorum for a meeting of the Council.

(3) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Council shall be taken in such meeting.

(4) The decision of the Council shall be taken by the majority of its members present and, in case of a tie, the President or Vice-President presiding the meeting shall have a casting vote.

(5) All orders, determination and decision of the Council shall be taken in writing and shall be signed by the Secretary/Registrar.

8. (1) The Registrar/Secretary shall be appointed by the President on the recommendations of the Council and on such terms and conditions as may be prescribed or until so prescribed as may be determined by the Council. Appointment of Registrar.

(2) The Registrar/Secretary shall be a professional having a Master's degree of physiotherapy or physical therapy.

(3) The Registrar shall also act as a Secretary of Council and he shall be a full time employee of the Council.

(4) No person shall be appointed or continue as Registrar/Secretary, if he -

(a) has been convicted of an offence involving moral turpitude;

(b) has been removed from service for misconduct;

(c) has been adjudicated as insolvent;

(d) is incapable of discharging his duties by reasons of physical or mental incapacity and has been so declared by a Medical Board; or

(e) fails to disclose any conflict of interest within the time provided for such disclosure by or under this Act or contravene any of the provisions of this Act.

(5) The Registrar/Secretary may, at any time, resign from his office by writing under his hand addressed to the President.

9. (1) The Council shall-

(a) constitute from amongst its members an Executive Committee, and such other Committees for general or special purposes as the Council deems necessary to carry out the purposes of this Act;

(b) appoint, employ or nominate such other advisers to the President, officers, officials and servants on regular or contract basis as may be prescribed by rules or until so prescribed as may be determined by the Council;

(c) require the Treasurer to take from the Registrar/Secretary, advisers, officers, officials and servants, such security for the due performance of their duties as the Council deems necessary; and

(d) fix the remuneration, allowances and honorarium to be paid to the President, Vice-President, members, officers and servants of the Council employed under this section as approved by the council.

Officers,
Committees
and Servants of
the Council.

(2) All persons appointed or employed under this section shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code Section XLV of 1860.

10. (1) The Executive Committee shall consist of four members nominated by the Council from amongst its member. The President shall be the Chairperson of the Executive Committee, Vice President, Registrar/Secretary and member nominated by the Council shall be members. In case of a tie the executive committee decision, the President shall have a casting vote.

Executive
Committee.

(2) The Executive Committee shall hold office for a period of three years and the Chairman and members thereof shall be eligible for re-nomination.

(3) The Executive Committee shall have the power to co-opt any person as a member of the Committee but such person shall not have right of the vote.

(4) In addition to the power and duties conferred and imposed upon it by this Act, the Executive Committee shall exercise and discharge such powers and duties as the Council may confer upon it by regulations; and shall have the power and responsibility to take decisions of administrative and financial nature for the smooth functioning and working of the Council.

(5) A member of Committee may, at any time, resign from membership of the Committee by writing under his hand addressed to the President and the seat of such member shall be deemed to have fallen vacant from the date of acceptance of his resignation by the President.

(6) Any vacancy in the Committee that may be arisen due to the resignation, death or any other cause, the new vacancy shall be filled by the Council within a period not exceeding sixty days and the new member shall remain a member for a residual term of a vacancy.

11. (1) The Council may grant recognition to any institution in the Province having two hundred bedded hospital which trains or grants physiotherapy qualifications and shall be included in the First Schedule by notification in the official Gazette.

Recognition and Regulation of Physiotherapy institutions and educations.

(2) The Council shall have the right to regulate and maintain the physiotherapy or physical therapy institutions and its curriculum from time to time keeping the curriculum and standard of foreign institutions and educations as guidelines for itself.

(3) The Council shall also endeavor to work in making a bridge between the local institution of Province, national and international institutions.

12. (1) The Council may grant recognition to any institution in the Province which trains for house job or internship or supervised clinical practice in foundation years and such recognized institution shall be included in the Second Schedule.

Recognition of Physical Therapy Departments or institutions for house job or internship or foundation year training.

(2) If any hospital and institution in the Province intends to get recognition of the institution which trains for house job, internship or supervised clinical Practice foundation year in pursuance of sub-section (1), it shall apply to the Council for the same.

(3) The Council shall also regulate the minimum time duration of Internship of the Physiotherapy Internees in different wards or disciplines of the hospital in order to help the internee for the better understanding of working in different wards or disciplines of the hospitals.

(4) The notification for the grant of recognition may also direct that an entry shall be made in the last column of the Second Schedule against such institution and physiotherapy qualification granted by it, declaring that it shall be a recognized Physiotherapy or Physical therapy institution or qualification only when granted after the date of notification.

13. At any time, the Council may enter into negotiations with the appropriate authority in any foreign country or organization, for the settling of a scheme for improvement of physiotherapy education in Pakistan or postgraduate degrees or any matter or prospect related to the physiotherapy profession.

Arrangements for Schemes with foreign countries and Exchange Programs.

14. (1) If, after an examination by a Academic Board constituted by the Council, the Council is satisfied that a person holding a qualification granted by a physiotherapy institution outside Pakistan, is possessed of sufficient knowledge and skill to be registered as a practitioner for the purpose of this Act, the Council shall issue a notification in favor of such person to register him and his qualification.

Power of the Council to certify certain persons to be possessed of sufficient Physiotherapy qualifications.

(2) The Council shall register the qualification granted by a physiotherapy institution outside Pakistan, possessed by the person by maintaining a separate list in the register.

(3) Physiotherapist professionals intended to work as a Physiotherapist within the Province who have been qualified from the institution and affiliated colleges of institutions chartered by other Provinces having HEC recognized qualifications shall have to be registered with the Council to work as a physiotherapist within the Province.

(4) The Council shall also register Assistant Physical Therapist, Physical Therapy Aid, having a certificate course from any Medical faculty of Province to work as an assistant physical therapist or Physical Therapy Aid within the Province and the record of all such registration shall be maintained in the register mentioned under clause (1) of section 24 and shall be called as an Associate Members of the Council.

15. (1) The Council may grant recognition to any post-graduate physiotherapy institutions in or outside Pakistan which train or grant additional physiotherapy qualifications and such recognized additional Physiotherapy institutions or qualifications shall be included in the Third Schedule by the Council, by notification in the official Gazette.

Additional
Physiotherapy
qualifications.

(2) If any post-graduate physiotherapy institution in or outside Pakistan intends to get recognition of the institution which trains or grants additional physiotherapy qualifications or qualification granted by it in pursuance of sub-section (1), it shall apply to the Council for the same. If an institution wishes to only train for a recognized postgraduate qualifications in any specialty, it shall apply to Council and the Council shall after scrutinize the qualifications of the institution, add the same in the Third Schedule.

(3) The Council after being satisfied that application is complete and is in accordance with the prescribed procedure shall grant recognition as provided under sub-section (1).

(4) The notification for the grant of recognition may also direct that an entry shall be made in the last column of the Third Schedule against such institution and additional physiotherapy qualification granted by it, declaring that it shall be a recognized post-graduate physiotherapy institution and additional physiotherapy qualification only when granted after the date of notification.

16. The Council shall evaluate any additional physiotherapy qualifications granted by any foreign institution and may-

Recognition of
foreign additional
Physiotherapy
qualifications.

(i) recognize such institution or qualification and include it in the Third Schedule as specified in section 15; or

(ii) notify only and shall not be included in the Second Schedule, however, a separate list thereof shall be maintained.

17. (1) The Council may grant recognition to any organization in the Province, which provides opportunities of continuous professional development to the registered physiotherapist and such recognized organizations shall be included in the Second Schedule by notification in the official Gazette.

Recognition of
continuous
professional
development
opportunity
providers.

(2) If any organization in the Province, which provides opportunities of continuous professional development to the registered physiotherapy practitioners, intends to get recognition of the organization in pursuance of sub-section (1), it shall apply to the Council for the same.

(3) The Council, after being satisfied that application is complete and is in accordance with the prescribed procedure, shall grant recognition as provided under sub-section (1), declaring that it shall be a recognized organization in the Province, which provides opportunities of continuous professional development to the registered physiotherapist only when granted after the date of notification.

(4) A separate list of international continuous professional development opportunities providing organization or institutes shall be maintained by the Council.

18. (1) The Council in maintenance of such minimum standards of proficiency in that particular specialty shall establish the academic boards as may be prescribed, which shall be included in the Sixth Schedule by notification in the official Gazette.

Role of academic boards.

(2) The Council shall authorize a Academic Board constituted as per prescribed procedure which shall, on receipt of such recommendations by the Executive Committee, grant recognition as provided under sub-section (1), declaring that it shall be a recognized Academic Board only when granted after the date of notification.

19. Every physiotherapy institution or hospital or organization in the Province recognized under this Act, which trains for or grants a physiotherapy qualification, additional qualification, trains for house job or internship or foundation year or is a continuous professional development opportunity provider shall furnish such information as the Council may, from time to time, require about the facilities and faculty available in the institution, courses of study and processes of admission of the institution concerned, examinations required to be undergone prior to such qualifications being conferred and generally as to the requisites for obtaining such qualifications.

Power to acquire information as to courses of study and examination.

20. (1) The Executive Committee shall approve a list of physiotherapist inspectors in the Province and the President shall commission such number of physiotherapist inspectors from the approved list, as it may deem appropriate, to inspect the facilities for training available at the physiotherapy institutions and attend at any or all of the examinations held by their institutions in the Province recognized under this Act for the purpose of grant recognition to physiotherapy practice or additional qualifications in physiotherapy. Inspection.

(2) The Physiotherapist Inspector appointed under this section shall form a comprehensive report about the facilities for training in the institution and shall not interfere with conduct of any examinations and shall report to the Executive Committee on the standard of the inspected examination which they attend and on the courses of study and facilities for teaching provided by the physiotherapy institution inspected for different stages leading up to examinations and on any other matters in regard to which the President or Executive Committee may require them to report.

(3) The Executive Committee shall forward a copy of any such report to the physiotherapy institution concerned and shall also forward a copy, with the remarks of such physiotherapy institution thereon, to the Council.

21. (1) If a recognized institution is violating the provisions of this Act and rules or regulations made thereunder or the facilities for training for the courses of study or standard of examination in the institution to obtain a recognized qualification, additional physiotherapy qualification, training for house job or internship of foundation year or in a continuous professional development opportunity providing organization has deteriorated to an extent that the standard of proficiency required from candidates at any examination held for the purpose of grant such qualification is not such as to secure to persons holding such qualification the knowledge and skill requisite for the efficient practice in physiotherapy, the Council may stop further intake of students in the institution and forward a summary of its findings and its intentions to the physiotherapy institution with an intimation of the period within which the physiotherapy institution may submit its explanation to the Council and may request for a hearing before the Council if it so desires.

Withdrawal of recognition.

(2) If the Council is not satisfied with the explanation under sub-section (1) then it shall take steps for closure of the institution to which shall include a scheme for adjustment of students in other recognized institutions of the corresponding public or private sector, as the case may be.

(3) On floating the recommendations under sub-section (2), the Council may, by notification in the official Gazette, direct that an entry shall be made in the First, Second, Third and Fourth Schedule, as the case may be, against the said physiotherapy postgraduate institution and qualification granted by it or continuous professional development opportunity provider declaring that it shall be a recognized physiotherapy qualification, institution, and continuous professional development opportunity provider only before the date of notification.

22. No person shall run or establish any institution for training or grant of physiotherapy qualifications, education, training for house job, internship or supervised clinical practice in foundation year or an organization for continuous professional development opportunity providing neither shall any University grant affiliation to any such an institution nor any such institution shall award any degree unless recognition has been granted to such college or institution under this Act.

Establishment and running of Physiotherapy institutions without recognition.

23. (1) Whoever runs or establishes or endorses any institution or advertises admissions in an institution for imparting education in physiotherapy or physical therapy, which is not recognized under this Act or in respect of which recognition has been withdrawn under section 21, shall be guilty of an offence punishable with rigorous imprisonment for a term which may extend to five years but shall not be less than a year or with fine which may extend one million rupees but shall not be less than three hundred thousand rupees or with both and shall also be liable to closure of such institution.

Penalty.

(2) Where any contravention of this Act has been committed by a body corporate or institution and it appears from the relevant documents that such offence has been committed with the consent or connivance of or is attributed to any negligence on the part of any director, partner, manager, secretary or other officer of the body corporate or institution such director, partner, manager, secretary or other officer of the body corporate or institution, shall be deemed guilty of such contravention along with the body corporate or institution and shall be punished accordingly:

Provided that in the case of a company as defined in the Companies Ordinance, 1984 (XLVII of 1984), only its Chief Executive shall be liable under this section.

Explanation.- For the purpose of this section, "body corporate or institution" includes a firm, association of persons and a society registered under the Societies Registration Act, 1860 (XXI of 1860) or under the Co-operative Societies Act, 1925 (VII of 1925).

(3) Where any contravention of this Act has been committed by any Government agency, local authority or local council and it appears from the relevant documents that such contravention has been committed with the consent or connivance of or is attributable to any negligence on the part of the head or any other officer of Government agency, local authority or local council, such head or other officer shall also be deemed guilty of such contravention along with Government agency, local authority or local council and shall be liable to be proceeded against and punished accordingly.

24. (1) The Council shall maintain a register of physiotherapist possessing qualifications which are recognized or additional qualifications for the purposes of this Act and may prescribe the necessary particulars to be entered in the register. Holders of a recognized basic degree shall be registered on provisional basis for internship or foundation or house job of a minimum of one year duly assessed, hands on clinical rotation in an approved hospital or institution included in the Second Schedule which shall be mandatory for conversion of provisional registration into full registration.

Maintenance of Register of Physiotherapist.

(2) The physiotherapist shall be deemed to hold a valid registration and entitled to be known and eligible for privileges of a registered physiotherapist if his name is retained on the register after fulfillment of requirements of continuation of registration as laid down by the Council from time to time and provided that he had paid the dues of the Council and the valid registration certificate shall be the license to practice Physiotherapy in the Province.

25. The register maintained under section 24 shall be deemed to be public document within the meaning of the section 34 of the Qanun-e-Shahdat, Article, 1984.

Registers to be public documents.

26. Whoever falsely pretends to be registered under this Act as a Physiotherapist and uses with his name or title any words or letters representing that he is so registered with the Council or uses the words "Doctor of Physiotherapy" as a Physiotherapist and Associate Members of the Council as Assistant Physical Therapist or Physical Therapy Aide without legal basis, irrespective of whether any person is actually deceived by such pretense or representation or not, shall, on conviction before a Magistrate of the First Class, be punishable with fine which may extend to one hundred thousand rupees or with imprisonment for a term which may extend to six months or with both. Any person found aiding and abetting him shall also be prosecuted and punished accordingly.
- Penalty for fraudulent representation or registration.
27. (1) No person, other than a registered physiotherapist and Associate Members of the Council shall practice as physiotherapist in Province.
- Penalty of practicing without registration.
- (2) Any person who acts in contravention of the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to two years but shall not be less than six months or with fine which may extend to two hundred thousand rupees but shall not be less than fifty thousand rupees or with both.
28. (1) No court shall take cognizance of any offence or matter under this Act except upon complaint in writing made by the authorized officer of the Council by registrar/secretary.
- Cognizance of offences.
- (2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), it shall be lawful for any Magistrate of the first class to pass any sentence authorized by this Act even if such sentence exceeds his powers under section 32 of the said Code.
29. (1) A registered Physiotherapist or Associate Members of the Council shall have following privileges, namely:-
- Privileges of registered Physiotherapist/ Associate Members of the Council.
- (a) A valid registration shall be considered as a license to practice physiotherapy which may include Assistant Physical Therapist who shall be a temporary registered member for the duration of two years and shall only work under the supervision of registered Physiotherapist in a level indicated by the Council in the registration certificate;
- (b) a registered physiotherapist having valid full registration may take admission for an additional qualification course;

(c) to hold any relevant administrative appointment in any physiotherapy institution or setup or hospitals or clinic or related health institution;

(d) to hold a commission as a Physiotherapist in the Armed Forces; and

(e) only a registered Physiotherapist having valid registration is eligible to participate in the elections of the member of the Council.

(2) No person shall be entitled to record any charge in any court of law for any advice until he can prove upon the trial that he is a registered physiotherapist having valid registration.

30. (1) Every registered physiotherapist shall notify any transfer of the place of his residence or practice to the Registrar within sixty days of such transfer, failing which his name is liable to be struck off from the register by order of Government either permanently or for such period as may be specified therein.

Responsibilities of registered Physiotherapy Practitioner Physiotherapist.

(2) Every registered Physiotherapist shall comply with the code of ethics prescribed by the Council.

31. (1) The Council, in its discretion, may direct the Registrar to remove altogether or for a specified period from the register the name of any registered practitioner who has been convicted by the disciplinary committee or by any other court of law of any such offence as implies in the opinion of the Council a defect of character defined in the code of ethics of practice or who, after an inquiry at which opportunity has been given to such person to be heard in person or through a pleader, has been convicted by the disciplinary committee of the Council as guilty of professional negligence or incompetence or who has shown himself to be unfit to continue in practice or on account of mental ill health or other grounds as prescribed in the regulations of code of ethics of practice.

Removal of names from the Register.

(2) The Council may also direct that any name removed from the register under sub-section (1) shall be restored.

(3) For the purpose of an inquiry under sub-section (1), the disciplinary committee of the Council shall exercise all the powers of a civil court under the Code of Civil Procedure, 1908 (Act V of 1908) for summoning the witnesses, for compelling the production of documents and for issuing commissions with the help of law enforcing authorities.

(4) The claim of professional negligence shall initially be established before the disciplinary committee of the Council before any other proceedings.

32. (1) There shall be established a separate fund of the Council known as the Sindh Physiotherapy Council Fund which shall be non-lapsable Fund except the single line annual grants by Government which shall form part of the Fund and shall be lapsable. Fund.

(2) The Fund shall consist of -

- (a) single line annual grant received from Government;
- (b) grant(s) and subsidy received from the Federal and other Provincial Governments, Local Governments;
- (c) donations or contributions received or generated from private persons or public, local, foreign or international organizations, donations endowments and deposits and income from investment and deposits;
- (d) loans raised or aid obtained by the Council with the permission of Government;
- (e) fees, royalties on publications of the Council and other charges for services rendered by the Council;
- (f) all moneys received from any donor agency of Pakistan or foreign origin.

33. The amounts credited in the Fund shall be deposited in any Scheduled Bank approved by the Board. Crediting of the funds.

34. The Council may invest its Fund in any security of the Federal Government or Provincial Government or any other security approved by Government. Investment and utilization of the Funds

35. (1) The Council shall cause the accounts of the Council to be maintained properly in respect of each financial year in such a form and manner as may be prescribed or in such manner as may be specified by Government, showing the estimated receipt and current expenditure and the sums to be required from Government during next financial year. Maintenance of accounts and audit of accounts.

(2) The accounts of the Council shall be audited once a year by one or more Auditors who are Chartered Accountants within the meaning of the Chartered Accountants Ordinance, 1960 (X of 1961) appointed by the Board or the accounts shall be audited by the Auditor to be appointed by the Council in consultation with the Director General, Audit, Sindh.

(3) The annual statement of the accounts and audit report thereon shall be submitted by the Auditor for consideration of the Council for such action as deemed necessary.

36. The Registrar/Secretary shall submit, with the approval of the Council, to Government, such periodical returns, annual accounts statements and statistics or information as may be required by Government.

Annual reports, annual accounts and periodical returns.

37. (1) Government may make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Without prejudice to the generality of the foregoing power, such rules shall provide for all or any of the following matters:-

(i) the management of the property of the Council and the maintenance and audit of its accounts;

(ii) the powers and duties of the President and Vice President;

(iii) the appointment of officers and staff of the Council and terms and conditions of such officers and staff;

(iv) the appointment, powers, duties and procedures of Physiotherapy Inspectors.

38. (1) The Council may make regulations generally to carry out the purposes of this Act.

Power to make Regulations.

(2) Without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following:-

(i) the mode of appointment of the Executive Committee and other Committees, the summoning and holding of meetings, and the conduct of business of such Committees;

(ii) code of practice and ethics for the Physiotherapy practitioners;

- (iii) the conditions and procedure for maintenance, compilation and publication of the register of physiotherapy practitioners and of health care providing facilities and their minimum requirements and the fees to be charged for registration and, if necessary, for opening of sub-offices or branches for this purpose;
- (iv) the procedure for any inquiry under sub-section (1) of section 31;
- (v) prescribing a uniform minimum standard of courses of training for obtaining graduate and post-graduate physiotherapy qualifications to be included;
- (vi) the summoning and holding of meetings of the Council, the time and place where such meetings are to be held, the conduct of business thereat and the number of members necessary to constitute a quorum;
- (vii) prescribing minimum requirements for the content and duration of courses of study as aforesaid;
- (viii) prescribing the conditions for admission to courses of training as aforesaid;
- (ix) prescribing minimum qualifications and experience required of teachers for appointment in physiotherapy institutions;
- (x) prescribing the standards of examinations, methods of conducting the examinations and other requirements to be satisfied for securing recognition of physiotherapy qualifications under this Act;
- (xi) prescribing the qualifications, experience and other conditions required for examiners for professional examinations in Physiotherapy;
- (xii) granting of recognized physiotherapy and additional physiotherapy qualifications;

- (xiii) registration of physiotherapy students at any physiotherapy college or school or any university and the fees payable in respect of such registration;
- (xiv) laying down criteria including university affiliation, conditions and requirements for recognition and continuation of recognition and for grant of status of a teaching institution of institutions and organizations under this Act and on all connected matters of inspection of physiotherapy institutions for recognition and continuation of recognition and inspection of examinations in these institutions and fee for such inspections; and
- (xv) election of members of the Council.

39. (1) The Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to Government as it may require.

Information to be furnished by the Council and publication thereof

(2) Government may publish, in such manner as it may think fit, any report, copy, abstract or other information furnished to it under this section or under this Act.

40. (1) Whenever it appears to Government that the Council is not complying with any provisions of this Act, it may refer the particulars of the complaint to a commission of inquiry consisting of three persons, to be appointed by the Incharge Minister for Health, one of whom shall be a retired Judge of High Court of Sindh and two other members who shall not be a member of the Council or any of the Executive Committee.

Commission of Inquiry.

(2) Such commission shall proceed to inquire in a summary manner and to report to Government as to the truth of the matter charged in the complaint and in case of any charge of default or of improper action being found by the commission to have been established, the commission shall recommend the remedies, if any, which are in its opinion necessary.

(3) Health Department shall furnish the report of the commission of inquiry to the Council for implementation and for remedial actions, which shall submit to Government a detailed plan of remedial measures to be adopted by it and shall be considered as approved if no further orders are passed by Government in this regard within three months.

(4) All remedial actions shall be taken by the Council within a stipulated period of six months and the Council shall submit to Government a report of actions taken thereon.

(5) If the Council fails to comply with the remedial measures forwarded to it by Government, Government may by itself amend the rules or regulations of the Council or make such provisions or issue orders or take such other steps as may seem necessary to give effect to the recommendations of the commission.

(6) The commission of inquiry shall have power to administer oaths, to enforce the attendance of witnesses and the productions of documents and shall have other necessary powers for the purpose of any inquiry conducted by it as are exercised by a civil court under the Code of Civil Procedure, 1908 (Act V of 1908).

41. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force. Over-ridding provision

42. If any difficulty arises in giving effect to any of the provisions of this Act, Government may make such order not inconsistent with the provisions of this Act for removing the difficulty. Removal of difficulty.

43. No suit, prosecution or other legal proceeding shall lie against Government, the Council or any committee thereof or any officer or servant of Government or the Council for anything which is in good faith done or intended to be done under this Act. Indemnity.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

FIRST SCHEDULE

See section 2(j)

**List of Recognized Universities/ Degree Awarding Institutions having
Physiotherapy/ Physical Therapy Institutions in Sindh**

S. No.	PHYSIOTHERAPY INSTITUTE	CITY	RECOGNISED QUALIFICATIONS

SECOND SCHEDULE

(See section 12(1))

Approved Physiotherapy Training institution

S.#	Institute	Training	Duration

THIRD SCHEDULE

(See section 15(1))

S.#	Name of Institution	Post graduate Qualification
LIST OF POSTGRADUATE PHYSICAL THERAPY INSTITUTE IN SINDH		

FOURTH SCHEDULE

(see section 21(3))

LIST OF REGISTERED PHYSICAL THERAPIST

Name of Physiotherapist	Qualification	Institution

FIFTH SCHEDULE

(See section 2(o))

List of Recognized Physiotherapy Qualification

Duration	Degrees
1952-1962	Diploma
1963-1999	BScPT
2000 onwards	BSPT, BPT, ABPT, ADPT, PPDPT, MPT
2005	MScPT
2009 till date	DPT, DPTD
2000 onwards	MPT, MSc, PT, MS/M Phil in Physiotherapy/Physical therapy
2011 till date	Phd in Physiotherapy/Physical Therapy

SIXTH SCHEDULE

(see section 18(1))

Academic Board

S.No.	Specialties' /Department	Academic Board
-------	--------------------------	----------------

Karachi: Printed at the Sindh Government Press
12-06-2023