

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

*to provide for the establishment of Islamabad Healthcare Facilities Management Authority*

WHEREAS, it is expedient to provide for establishment of Islamabad Healthcare Facilities Management Authority for proper management, supervision and administration of healthcare facility management in the territorial limits of the Islamabad Capital Territory and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows: -

**1. Short title and commencement.** - (1) This Act shall be called the Islamabad Healthcare Facilities Management Authority Act, 2021.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

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

- (a) "**Authority**" means the Islamabad Healthcare Facilities Management Authority established under this Act;
- (b) "**Board**" means the Board of the Authority established under this Act;
- (c) "**Budget**" means an official statement of the income and expenditure of the Authority for a financial year;
- (d) "**Chairperson**" means the Chairperson of the Board;
- (e) "**Chief Executive Officer**" or "**CEO**" means the chief executive officer of the Authority appointed under this Act;
- (f) "**Directorate**" means the primary and secondary healthcare directorate of the Federal Government;
- (g) "**Division concerned**" means the Division to which business of the Authority stands allocated;
- (h) "**Government**" means the Federal Government;
- (i) "**health facility**" means healthcare services and facilities provided by

health institutions;

- (j) **"healthcare institutions"** means the following institutions providing health facilities in the Islamabad Capital Territory, namely: -
- (i) basic health unit;
  - (ii) rural health center;
  - (iii) Government rural dispensary;
  - (iv) maternal and child health center;
  - (v) hospital, excluding the Pakistan Institute of Medical Sciences; and
  - (vi) Government laboratory;
- (k) **"hospital"** means a public sector healthcare facility in the Islamabad Capital Territory with in-patient beds, excluding the Pakistan Institute of Medical Sciences;
- (l) **"member"** means member of the Board appointed under this Act;
- (m) **"prescribed"** means prescribed by rules or regulations made under this Act;
- (n) **"regulations"** means regulations made under this Act;
- (o) **"rules"** means rules made under this Act;
- (p) **"Schedule"** means the Schedule to this Act; and
- (q) **"secretary"** means the secretary of the Authority.

**3. Authority.** - (1) As soon as may be, after the commencement of this Act, the Federal Government shall, by notification in the official Gazette, establish an Authority to be known as the Islamabad Healthcare Facilities Management Authority, to carry out the purposes of this Act.

(2) The Authority shall be a body corporate having perpetual succession and a common seal and it may sue and be sued in its own name and, subject to and for the purposes of this Act, may enter into contracts and may acquire, purchase, take, hold and enjoy moveable and immovable property of every description and may convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of or deal with, any moveable or immovable property or any interest vested in it.

4. **Board.** - (1) General directions and administration of Authority and its affairs shall vest in a Board which may exercise all powers, perform all functions and do all acts which may be exercised, performed or done by the Authority.

(2) The Board shall consist of-

- (a) four reputable doctors with more than ten years clinical experience in a public hospital, with such experience being preferably in the fields of medicine, surgery, pediatrics and obstetrics or gynecology or their respective sub-specialties;
- (b) two senior nurses, with management experience in a large public or private hospital; and
- (c) three lay members of the public, selected from eminent persons in their respective fields, including legal, finance and economics, management, retired civil servants, educationists, social workers, representative of civil society, businessmen, and renowned philanthropists having significant aptitude.

(3) The members of the Board shall be appointed or removed by the Federal Government on recommendations of the nomination committee for a term of four years and shall be eligible for re-appointment for one further term of four years.

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

(5) The membership of a member shall fall vacant if he resigns, or fails to attend three consecutive meetings without sufficient cause, or any other reason which incapacitates him to hold office under this Act and such vacancy shall be filled within one month.

(6) No person shall be appointed, or remain, as a member of the Board, if he-

- (a) is by a competent court of law declared to be of unsound mind;
- (b) has to 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 as an un-discharged

- insolvent;
- (d) has been by a court of law convicted for an offence involving moral turpitude or corruption;
- (e) has been by a court of law debarred from holding any office under any provisions of law; or
- (f) has a conflict of interest in terms of the mandate of the Authority;
- (g) is, required by any law to pay income tax, does not pay the income tax accordingly.

(7) There shall be a secretary of the Authority who shall be appointed in the prescribed manner and he shall perform all secretarial and office functions of the Authority at the direction of the Chairperson, and shall be responsible for recording minutes at the Board's meetings, convening Board's meetings, and communication with the members as per directions of the Chairperson.

**5. Nomination committee.** - (1) For the purpose of recommending persons for appointment by the Prime Minister as member of the Board, there shall be a nomination committee consisting of-

S. #.	Person appointed or nominated	Status
(1)	(2)	(3)
1.	Secretary of the Division concerned	Convener
2.	Secretary Establishment Division	Member
3.	Vice-Chancellor of the Quaid-e-Azam University or his representative not below the rank of BPS-20 or equivalent	Member
4.	Vice-Chancellor of the Shaheed Zulifqar Ali Bhutto Medical University or his representative not below the rank of BPS-20 or equivalent	Co-opted Member
5.	Representative of a reputable private hospital in Islamabad nominated by the Division concerned	Co-opted Member
6.	Two representatives of civil society nominated by the Prime Minister from amongst renowned philanthropists, retired senior civil servants, retired	Member

	Supreme Court or High Court Judges, industrialists, professionals, or other persons of renowned achievement and high reputation	
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(2) Five members of the nominating committee shall form quorum for its meetings.

(3) Decisions of the nomination committee shall be by consensus, in the event of disagreement, it shall be by a majority vote and in the event of a tie, the Convener shall cast the deciding vote.

**6. Conduct of business.-** (1) All decisions of the Authority shall be taken by consensus and in case of division of opinion, the decision shall be taken by majority of votes.

(2) No act or proceedings of the Board shall be invalid, merely because of the existence of a vacancy therein or defect in constitution thereof.

(3) The quorum for a meeting of the Board shall be two-third of the total number of existing members, any fraction thereof shall be taken as one.

(4) The member count shall be determined by actual members present and a proxy vote shall not count.

(5) The Board shall hold at least six meetings every year.

(6) Special meeting of the Board may be convened on the request of at least one-third of the members for consideration of any important or urgent matter.

(7) The Board may constitute sub-committees to assist and advise with its functions and such sub-committees may include members or be completely comprised of experts who are not members.

(8) The remuneration for attending Board meetings shall be such as may be prescribed.

(9) The Board may in a matter of urgency, other than the approval of a budget, take a decision through circulation, based on written views of at least one-third of the total members.

**7. Functions and powers of the Board.-** (1) The Board shall be responsible for-

- (a) ensuring that the objectives of the Authority subject to policy issued by the Division concerned relating to health facilities in the