

**THE PAKISTAN INSTITUTE OF PROSTHETIC AND
ORTHOTIC SCIENCES ACT, 1999.**

(¹[KHYBER PAKHTUNKHWA] ACT NO. XIII OF 1999)

CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Institute.
4. Objectives of the Institute.
5. Constitution of the Board.
6. Administration and conduct of business.
7. Director Finance.
8. Executive Committee.
9. Finance and Planning Committee.
10. Functions of the Finance and Planning Committee.
11. Academic Committee.
12. Managing Director.
13. Appointment of officers, etc.
14. Meetings of the Board.
15. Fund.
16. Custody and investment of Fund.
17. Budget and accounts.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

18. Audit.
19. Delegation of powers.
20. Annual report.
21. Public servant.
22. Power to make rules.
23. Repeal.

**THE PAKISTAN INSTITUTE OF PROSTHETIC AND
ORTHOTIC SCIENCES ACT, 1999.**

(²[KHYBER PAKHTUNKHWA] ACT NO. XIII OF 1999)

*[First published after having received the assent of the Governor of the ³[Khyber Pakhtunkhwa]
in the Gazette of the ⁴[Khyber Pakhtunkhwa]
(Extraordinary), dated the 13th October, 1999.1*

**AN
ACT**

*to establish an institute with a view to imparting education and training in the field of orthopedic
technology and matters related thereto.*

Preamble.---WHEREAS it is expedient to establish an institute to impart education and training in the field of orthopedic technology and matters related thereto;

It is hereby enacted as follows:

1. Short title and commencement.---(1) This Act may be called the Pakistan Institute of Prosthetic and Orthotic Sciences Act , 1999.

(2) It shall come into force at once.

2. Definitions.---In this Act , unless the context otherwise requires,-

- (a) “Academic Committee” means the Academic Committee constituted under section 11;
- (b) “Board” means the Board constituted under section 5;
- (c) “Chairman” means the Chairman of the Board;
- (d) “Department” means the Health Department of the ⁵[Khyber Pakhtunkhwa];
- (e) “Executive Committee” means the Executive Committee constituted under section 8;
- (f) “Government” means the Government of the ⁶[Khyber Pakhtunkhwa];
- (g) “Institute” means Peshawar Institute of Prosthetic and Orthotic Sciences established under section 3;
- (h) “Managing Director” means the Managing Director of the Institute;
- (i) “prescribed” means prescribed by rules made under this Act; and
- (j) “section” means a section of this Act .

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

3. Institute.---(1) As soon as may be after the commencement of this Act, Government shall, by notification in the official Gazette, establish an institute to be known as Pakistan Institute of Prosthetic and Orthotic Sciences.

(2) The Institute shall be a body corporate having perpetual succession and a common seal, with powers, subject to the provisions of this Act, to acquire and hold property, both movable and immovable, and shall, by the said name, sue and be sued.

4. Objectives of the Institute.---The Institute shall-

- (a) educate and train persons in prosthetic and orthotic research and rehabilitation services and, subject to any law for the time being in force, coordinate with Universities and organizations of national and international repute in the field of prosthetics and orthotics;
- (b) develop training and educational facilities for under-graduates and postgraduate students in prosthetic and orthotic sciences and arrange conduct of examinations, with the approval of the Board, through national/international examining institutions recognized by Government;
- (c) manage the administration and development of its affairs in a befitting manner;
- (d) maintain a patient care centre and provide treatment and rehabilitation services to the needy on the basis of internationally accepted standards; and
- (e) develop and regulate the establishment of centres both in public and private sectors providing artificial limbs and related facilities in the field of prosthetics and orthotics with a view to maintaining high standards of services provided to the patients.

5. Constitution of the Board.---(1) There shall be a Board consisting of the following :

- (a) An eminent person of scientific and medical repute in the field of prosthetic and orthotic sciences. Chairman
- (b) Two prominent social workers. Members
- (c) A representative of the Department, preferably a doctor. Member
- (d) Two senior employees of the Institute. Members

(e) Managing Director.

Member-cum-
Secretary

(2) The Chairman and members, other than Managing Director, shall be appointed by Government.

(3) The Health Minister of the ⁷[Khyber Pakhtunkhwa shall be the Patron-in-Chief of the Institute.

(4) The term of office of the Chairman shall be three years and those of members at serial No. (b), (c) and (d), shall be two years; provided that the Chairman and any of the members may be appointed for a second term.

(5) The Chairman shall perform such duties and functions as may be assigned to him by the Board and receive such remuneration as Government may, on the recommendation of the Board, approve.

6. Administration and conduct of business.---(1) The over all supervision and control of the affairs of the Institute shall vest in the Board which may exercise all powers and do all acts and things in accordance with the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, the Board shall-

- (a) approve all plans, policies and programs of the Institute;
- (b) examine and approve teaching and research programs of the Institute;
- (c) examine and approve the annual and evaluation report of the Institute for submission to Government;
- (d) approve the annual development and non-development budget of the Institute; and
- (e) decide any matter not specifically enumerated herein.

(3) All business of the Institute shall be transacted in such manner as may be prescribed.

(4) The Board may establish such special committees, as deemed necessary to assist it in its work.

7. Director Finance.---There shall be a Director Finance appointed by the Board. He shall exercise such powers and discharge such duties and functions as may be prescribed.

8. Executive Committee.---(1) There shall be an Executive Committee, consisting of the following :

- (a) Chairman of the Board. Chairman
- (b) Director Finance. Member
- (c) Two employees of the Institute to be Members

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

nominated by the Board.

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| (d) | The Managing Director. | Members/ Secretary |
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(2) Subject to the provisions of this Act, the rules made thereunder and any general or special direction of the Board, the Executive Committee shall-

- (a) manage and administer the day to day affairs of the Institute and shall control and supervise its funds;
- (b) examine development plans for staff;
- (c) prepare draft rules and regulations for approval of the Board;
- (d) perform any other function as may be assigned to it by the Board.

(3) The Executive Committee shall make or formulate its own procedure for the conduct of its business.

9. Finance and Planning committee.---There shall be a Finance and Planning Committee consisting of the following :

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| (a) | Managing Director. | Chairman |
| (b) | Two employees of the Institute to be nominated by the Board. | Members |
| (c) | Director Finance. | Member |
| (d) | A representative of the Department. | Member |

10. Functions of the Finance and Planning Committee.---Under the general control of the Board, the Finance and Planning Committee shall -

- (a) consider annual statement of accounts and annual revised budget estimates and advise thereon;
- (b) review periodically financial position of the institute and inform the Executive committee;
- (c) advise the executive committee on all matters relating to Planning and Development, Finance, investments and accounts of the Institute;
- (d) prepare short term and long term annual development plans;
- (e) prepare and submit the annual development and non- developmental budget of the Institute for approval of the Board ; and
- (f) perform any other function as may be assigned to it by the Board.

11. Academic Committee.---(1) There shall be an Academic Committee, consisting of the following:

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|-----|---------------------------------------|----------|
| (a) | Chairman of the Board | Chairman |
| (b) | Four senior whole time teaching staff | Members |

members of the Institute.

- | | | |
|-----|--|---------------------|
| (c) | Two part time teachers of the Institute. | Members |
| (d) | Two part time teachers of the Institute. | Members |
| (e) | Registrar, Peshawar University | Member |
| (f) | Managing Director | Member-cu-Secretary |

(2) Subject to the provisions of this Act, the rules made thereunder and any general or special direction o the Board, the Academic Committee shall-

- (a) Determine the requirements of the Prosthetic and Orthotic education in the light of the rules and regulations of the Government.
- (b) Lay sound policy for awards, scholarships, education policy, curriculum, syllabus, distribution of duties, academic year, vacations and other activities of the Institute.
- (c) Regularly evaluate and review standards of teaching, research and development projects and programmes of the Institute and shall make a report to the Board, in this regard after every six months.
- (d) Prepare teaching and research plans.

12. Managing Director.---(1) There shall be a Managing Director of the Institute to be appointed by the Board on such terms and conditions as the Board may approve.

(2) The Managing Director shall be appointed from amongst eminent persons of scientific and medical repute in the field of prosthetic and orthotic sciences.

(3) Subject to the limitation in sub-section (4), the Managing Director shall be the chief executive of the Institute.

(4) In the performance of his functions , the Managing Director shall work within the four corners of the general policy and guide-lines laid down by the Board.

13. Appointment of officers, etc.---(1) The Board may, from time to time, appoint such officers and other employees as it may consider necessary for efficient performance of the Institute, on such terms and conditions as may be prescribed.

(2) The existing employees working in the Institute shall have the right to be absorbed in the Institute on such terms and conditions as may be prescribed by the Board.

(3) The Chairman, in case of emergency, may appoint such officers and other employees as may be necessary:

Provided that every appointment under this sub-section shall be reported to the Board without delay and shall not continue beyond six months, unless approved by the Board.

14. Meetings of the Board.---(1) The meetings of the Board shall be held at such times and places as may be prescribed :

Provided that until rules are made in this behalf, such meetings shall be held at times and places as may be determined by the Chairman.

(2) The quorum necessary for transacting business at a meeting shall be three-fourth of the total number of the members of the Board.

(3) All decisions in the meeting shall be taken by majority of votes. In the event of equality of votes, the Chairman shall have a second or casting vote.

(4) The meeting of the Board shall be presided over by the Chairman or in his absence, by a member authorized by the Chairman in writing in this behalf. In the absence of such authorization, the meeting shall be presided over by the member elected from amongst themselves by the members present for the purpose of conducting business.

(5) No act or proceeding of the Board shall be considered invalid merely on the grounds of existence of a vacancy in, or any defect in the constitution of, the Board.

15. Fund.---(1) There shall be a fund of the Institute to be known as “the Institute Fund”, which shall be utilized by the Board to meet charges in connection with the affairs of the Institute, including the salary and allowances of the employees of the Institute.

(2) The Institute Fund shall consist of -

- (a) grants-in-aid made by Government including the Federal Government;
- (b) funds generated from fees to be charged from the students being taught by the Institute;
- (c) sale proceeds from the rehabilitation services provided to the patients by the care centers maintained by the Institute; and
- (d) donation received from any source, including charitable institutions, philanthropists and international donor organizations.

16. Custody and investment of Fund.---(1) The Board may keep the Fund in any scheduled bank approved by it.

(2) Nothing in sub-section (1) shall be deemed to preclude the Board from investing any such money which is not required for immediate expenditure in any of the securities described in section 20 of the Trust Act, 1882 (II of 1882), or in other manner as it may deem fit.

17. Budget and accounts.---(1) The Executive Committee shall examine the annual budget estimates of the Institute and work plan in respect of each financial year and submit the same to the Board after clearance from the Finance and Planning Committee by the prescribed date for its approval. The Board may modify the estimates or the work plan in such manner as it may deem appropriate.

(2) The account books (receipt and expenditure) of the Institute shall be maintained in such form and manner as may be prescribed .

(3) The Executive Committee shall, within three months of the close of each financial year, place before the Board the annual statement of account, audited balance sheet, profit and loss account and the auditor’s report for the preceding financial year.

18. Audit.---(1) The Director Finance shall cause to be maintained complete and accurate books of accounts in the prescribed manner.

(2) The accounts of the Institute shall be audited annually by registered chartered accountants firm.

(3) The audit report shall be submitted to the Board and, with the comments of the Board, to Government.

19. Delegation of powers.---(1) The Board may, for the purpose of proper functioning of the Institute, delegate to the Executive Committee, the Managing Director or any other officer of the Institute, subject to such conditions and limitations as may be specified therein , such of its powers , duties or functions under this Act as it may deem appropriate.

20. Annual report.---The Executive Committee shall, within three months after the end of every financial year , submit an annual report to the Board on the conduct of the affairs of the Institute for that year alongwith its proposals for the next financial year.

21. Public servant.---Every person or authority acting or purporting to act under this Act shall be deemed to be public servant within the meaning of section 21 of the Pakistan Penal Code, (XLV of 1860) .

22. Power to make rules.---The Board may, with the approval of Government, make rules for carrying into effect the provisions of this Act.

23. Repeal.---The Pakistan Institute of Prosthetic and Orthotic Sciences Ordinance, 1999 (NWFP Ordinance No. VI of 1999), is hereby repealed.