

# SENATE OF PAKISTAN



**ELEVENTH QUARTERLY REPORT  
OF THE COMMITTEE  
ON  
DELEGATED LEGISLATION**

**PRESENTED BY**

**SENATOR KAUDA BABAR  
CHAIRMAN COMMITTEE**

**QUARTERLY REPORT OF THE**  
**COMMITTEE ON DELEGATED**  
**LEGISLATION**  
**(OCTOBER – DECEMBER 2019)**

I, Chairman of the Senate Committee on Delegated Legislation, have the honour to present the eleventh quarterly report of the Committee on Delegated Legislation under Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, for the period of October to December 2019.

2. The composition of the Committee is as follows: -

1. Senator Kauda Babar	Chairman
2. Senator Dr. Asad Ashraf	Member
3. Senator Dr. Ashok Kumar	Member
4. Senator Dr. Farogh Naseem	Member
5. Senator Kalsoom Parveen	Member
6. Senator Rubina Khalid	Member
7. Senator Saleem Zia	Member
8. Senator Mian Raza Rabbani	Member
9. Senator Mir Muhammad Yousaf Badini	Member
10. Senator Prof. Sajid Mir	Member

3. Meeting of the Committee on Delegated Legislation was held on 12th November 2019. The following members of the Committee attended the aforementioned meeting:

i. Senator Kauda Babar	Chairman
ii. Senator Kalsoom Perveen	Member
iii. Senator Rubina Khalid	Member
iv. Senator Dr. Ashok Kumar	Member
v. Senator Mir Muhammad Yousaf Badini	Member

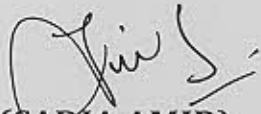
4. The Committee at the very outset deliberated upon the way forward and decided that the Committee would review the delegated legislation that affected the public at large on day to day basis and would take up matters in such an order so the relief can be provided to the affected parties at the earliest. The Committee decided to form sub-committees to review delegated legislation pertaining to individual Ministries while the main Committee focuses on institution building by strengthening and expanding the role of the Committee on

delegated legislation. The Committee decided to consult subject experts for developing a comprehensive strategy that can be used while reviewing the delegated legislation.

5. The Committee formed a Sub-Committee comprising of Senator Dr. Ashok Kumar, Senator Dr. Asad Ashraf and Senator Mir Yousaf Badini to review the delegated legislation falling under the purview of Ministry of National Health Services, Regulations and Coordination. The Sub-Committee has since its inception convened two meetings on 21<sup>st</sup> November and 10<sup>th</sup> December, 2019 respectively. The Sub-Committee in its first meeting went through all the rules/regulations provided by the Ministry pertaining to various bodies that came under its domain. The Sub-Committee was briefed by the representatives from the National Institute of Health (NIH), Drug Regulatory Authority of Pakistan (DRAP), Pakistan Health Research Council (PHRC), Shaheed Zulfikar Ali Bhutto Medical University (SZABMU), Human Organ Transplant Authority (HOTA), Pakistan Nursing Council (PNC), Pharmacy Council, TIBB Council, and Health Services Academy (HSA). While listening to the briefing by the representatives from these bodies, the Committee noted with dismay that while bodies like Pakistan Nursing Council had been formed in 1973, no rules/regulations in pursuance of the Act of the Parliament had yet been notified. The Sub-Committee opined that this negligence over such a long period of time has proved detrimental for the nursing profession. The Committee directed the Ministry to frame the rules in consultation with the PNC and notify the same at the earliest. The Sub-Committee also observed that several of the bodies under the Ministry had overlapping domain and some had even ceased to serve their purpose post devolution, therefore it was vital that the work of various bodies under the Ministry be consolidated.

6. The Sub-Committee formed for reviewing the delegated Legislation under the purview of the Ministry of National Health Services, Regulations and Coordination following its first meeting decided to hold a detailed briefing with the Pakistan Nursing Council, Human Organ Transplant Authority and the Pakistan Health Research Council. The Committee reviewed the existing structure of the Pakistan Nursing Council and went through the draft of Rules presented by the Ministry in light of the Sub-Committee's recommendations from the previous meeting. The Committee stressed that keeping in view the importance nursing profession holds, it's vital that the situation in the backward areas of the country be also kept in mind. The Committee further directed the Ministry to present before it periodical report about the status of the notification of rules. The Committee resolved to follow-up the issue until and unless the rules are not notified and implemented. The Sub-Committee while discussing the rules pertaining to the Human organ Transplant Authority noted that the rules pertaining to the penalty were not adequate. The representative from the authority while explaining a recent case of malpractice further strengthened the Sub-Committee's stance, as the act was silent about the authority which could re-open a hospital after it had been sealed. Furthermore, the clauses related to the penalties also needed clarification.

7. In terms of Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, the quarterly report of the Committee is presented for perusal of the House.



**(SABIA AMIR)**  
Secretary Committee



**(SENATOR KAUDA BABAR)**  
Chairman Committee