

[AS PASSED BY THE SENATE]

A
BILL

to reconstitute the Medical and Dental Council in Pakistan

WHEREAS it is expedient to consolidate the law relating to the registration of medical practitioners and dentists and reconstitute the Medical and Dental Council in Pakistan in order to establish a uniform minimum standard of basic and higher qualifications in medicine and dentistry;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Pakistan Medical and Dental Council Act, 2022.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

- (a) **“approved hospital or institution”** means a hospital or an institution included in the **Fourth** Schedule;
- (b) **“council”** means the Pakistan Medical and Dental Council constituted under this Act;
- (c) **“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 medical or dental practitioners;
 - (ii) reasonably be expected to advance a registered medical or dental practitioner’s development in his related profession; and
 - (iii) is relevant to the practice of registered medical or dental practitioner;
- (d) **“committee”** means any committee constituted under this Act and includes Executive Committee;
- (e) **“continuous professional development opportunity provider”** means an organization providing continuous professional development opportunities and included in the **Fifth** Schedule;

- (f) **"dental institution"** means an institution, recognized under this Act, within or outside Pakistan, which trains for, or grants, or both trains for and grants, degrees or diplomas in dentistry;
- (g) **"division"** means the Division to which business of this Act stands allocated;
- (h) **"full Registration"** means a permanent registration to practice granted under this Act, subject to continuing validity of the registration under this Act and applicable rules and regulations;
- (i) **"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 this Act;
- (j) **"medical institution"** means any institution recognized under this Act, within or outside Pakistan, which trains for or grants, or both trains for and grants, degrees or diplomas in medicine;
- (k) **"medicine"** means modern scientific medicine and includes surgery and other disciplines, but does not include veterinary medicine and surgery;
- (l) **"medical and Dental Colleges Admissions Tests"** or **"MDCAT"** means the medical and dental college admission tests, as defined in Section 17.
- (m) **"national Equivalence Board Examination"** or **"NEB"** means the national equivalent board examination, as defined in Section 19.
- (n) **"national Registration Examination"** or **"NRE"** means national registration re-examination, as defined in section 18.
- (o) **"Pakistan university"** means any university established under a Pakistan law and having a constituent medical or dental college or both;
- (p) **"president"** means President of the Council;
- (q) **"provisional Registration"** means a registration granted to enable training and education prior to grant a full registration and subsequent to having qualified the national registration examination under this Act.
- (r) **"prescribed"** means prescribed by regulations;
- (s) **"recognized medical qualification"** means any basic medical qualification included in the First Schedule;
- (t) **"recognized dental qualification"** means any basic dental qualification included in the Third Schedule;

- (u) **"recognized additional medical or dental qualification"** means any additional medical or dental qualification included in the **Second Schedule**;
- (v) **"register"** means the Register of medical practitioners maintained under section 36 or the Register of dental practitioners maintained under section 37;
- (w) **"registered medical practitioner"** means a medical practitioner whose name is included in the Register maintained under section 36;
- (x) **"registered dental practitioner"** means a dental practitioner whose name is included in the Register maintained under section 37;
- (y) **"regulations and rules"** mean regulations and rules made under this Act;
- (z) **"registerable qualifications"** mean medical or dental qualifications recognized under this Act; and
- (za) **"specialists boards"** mean recognized specialist boards included in the **Sixth Schedule**.

3. Constitution and composition of the Council.- (1) The Prime Minister, shall by notification in the official Gazette, constitute the Council consisting of the following members, namely:-

- (a) three members of civil society nominated by the Prime Minister on recommendations of the Minister-in-charge of the Division concerned, that is to say—
 - (i) one member shall be a philanthropist is a professional of known integrity and eminence with a minimum of fifteen years of related experience in the field of philanthropist;
 - (ii) one member from legal profession of known integrity and eminence with a minimum of fifteen years of experience in the field of law as a practicing lawyer or a retired High Court Judge; and
 - (iii) one member who shall be a chartered accountant of known integrity and eminence with a minimum of fifteen years of related experience in the field of accountancy;
- (b) five members being licensed medical practitioners one of whom shall be a dentist, all of them having fifteen years of teaching experience which may include the vice-chancellor or dean or principal of any medical university or medical and dental institute or teaching hospital or post graduate medical institution but shall not be the owner or

shareholder or administrator of any private medical and dental university or private medical and dental college or private institute to be nominated by the Prime Minister on recommendations of the Minister-in-charge;

- (c) one member being the surgeon general of the armed forces medical services;
- (d) the Secretary of the Division concerned;
- (e) Secretaries, health departments of all four Provinces; and
- (f) one member to be elected by the Council of the College of Physicians and Surgeons of Pakistan.

(2) The Division concerned shall call first meeting of the council within fifteen days after its constitution under sub-section (1).

(3) Seven members of the Council shall constitute a quorum for meetings of the Council.

(4) The President of the Council shall be appointed by the Prime Minister on the recommendations of the Minister-in-charge from amongst the members under clause (b) of sub-section (1).

(5) No member shall enter upon office until he signs and submits a declaration of no conflict of interest.

(6) The President shall be the head of the Secretariat of the Council.

(7) 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.

(8) In absence of the President, the meeting of the Council shall be chaired from any of the members of clause (b) of sub-section (1) as the members present may elect.

(9) The Registrar of the Council shall act as Secretary of the Council.

4. **Mode of Election.** - (1) An election under this Act shall be conducted by the Council on such terms and conditions as may be prescribed.

(2) Where any dispute arises regarding election for the presidency of the Council it shall be referred to the Federal Government through Minister-In-Charge whose decision thereon shall be final.

5. Restrictions on nominations and election.- (1) No person shall be eligible for nomination except under clauses (a), (b), (c) and (l) of sub-section (1) of section 3, unless he is a registered medical practitioner or a registered dentist, as the case may be.

(2) No person shall be eligible for nomination under clauses (d), (e), (f) and (g) of sub-section (1) of section 3, unless he resides in the Province concerned.

(3) No person shall at one and the same time serve as a member under more than one clauses of sub-section (1) of section 3.

(4) No member shall be eligible for the election of presidency of the Council unless he is a registered medical practitioner.

6. Incorporation of the Council.- The Council constituted under section 3 shall be a body corporate by the name of the Pakistan Medical and Dental 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. The Council shall be a regulatory body for regulating medical and dental profession, medical and dental education and institutions.

7. Terms of Office.- (1) The term of a member nominated to the Council shall be four years unless earlier withdrawn by the nominating or appointing authority. No member of the Council shall serve for more than two terms.

(2) The President ~~and Vice-President~~ of the Council shall hold office either for a term not exceeding three years or till completion of their term as member of the Council whichever is earlier:

Provided that the Federal Government through Minister-In-Charge can remove the President ~~and Vice-President~~ of the Council at its discretion.

(3) If a member fails to attend three consecutive meetings of the Council without any valid reason or remains out of Pakistan for a continuous period exceeding one year, he shall cease to be the member of the Council.

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

(5) An office-bearer or nominated member may, at any time, resign from 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 his resignation by the President.

(6) A vacancy in the Council shall be filled by the respective nominating authority. Any nomination required to fill a vacancy shall be submitted within fifteen days of such vacancy having occurred. The nomination shall be for the remaining period of the member.

8. Meeting of the Council.- (1) The Council shall meet as often as required but at least once in every three months at such time and place as may be decided by the President. A notice of the meeting shall be issued fourteen days prior to the meeting with the exception of emergency meeting which may be called with requisition of minimum of seven members of the council for which reasons to be recorded in writing and conveyed to the concerned Division.

(2) Decision of majority members of the Council present and voting shall be construed a decision of the Council.

9. Powers and Functions of the Council.- (1) The Council shall have the functions and powers of general supervision over the working of the Council and shall hold the President ~~and Vice-President~~ of the Council, National Medical and Dental Academic Board, committees and other authorities accountable for all its functions. The Council shall have all powers not expressly vested in any other authority or officer by any other law where such powers not expressly mentioned in this Act are necessary for the performance of its functions.

(2) Without prejudice to the generality of the foregoing powers and notwithstanding anything contained in any other law for time being in force, the Council shall have the following functions and powers, namely:-

- (a) to appoint the members, officers and employees of the Council on such terms and conditions as the Council deems necessary to carry out the purpose of this Act and to provide for all matters relating to welfare, terms and conditions of service of the members, officers and employees of the Council in accordance with regulations framed by the Council and including the right, to institute a voluntary golden handshake scheme;
- (b) to approve the proposed annual plan of work including key performance indicators, the annual and revised budgets, the annual report and the annual statement of accounts;

- (c) to approve strategic plans and approve financial resource development plans of the Council;
- (d) to approve accreditation standards, for under-graduate medical and dental programs of study based in Pakistan;
- (e) to approve curriculum and scope of under-graduate medical and dental programs of study in Pakistan leading to general registration of the graduates of those programs to practice medicine and dentistry in Pakistan;
- (f) to frame rules and regulations for the conduct of admission in medical and dental colleges and examinations to be conducted by each province, Islamabad Capital Territory and Gilgit-Baltistan and approve the examination structures and standards of the National Registration Examination and the National Equivalence Board Examination as proposed by the National Medical and Dental Academic Board including the standards of renewal/ revalidation of registrations to practice medicine or dentistry in Pakistan;
- (g) to grant recognition to medical and dental institutions in Pakistan which train or grant or both train and grant medical and dental post graduate qualifications and to the qualifications granted by these institutions leading to registration of the graduates of those programs to practice medicine in Pakistan as specialists;
- (h) to approve the assessment of international under-graduate medical programs and institutions for registration of their graduates in Pakistan;
- (i) to approve the assessment of authorities or institutions in other countries that conduct examinations for post graduate registration in medicine and dentistry or that accredit post graduate programs of study relevant to registration in medicine and dentistry;
- (j) to approve listing for any new medical and dental specialists;
- (k) to hear and decide complaints against licenses of professional negligence and misconduct in accordance with regulations prescribed by the Council;
- (l) to provide non-binding advise to the Federal Government through Minister-In- Charge and the Provincial Governments and the parliament when sought on proposals for granting a charter by the Parliament to award post graduate degrees in the field of medicine and dentistry, both in public and private sector;

- (m) to advise the Federal Government through Minister-In-Charge and the Provincial Governments, health-care commission, regulatory bodies in the field of medicine and dentistry and any other authority or local body on matters within the powers of the Commission under this Act and ancillary and incidental thereto;
- (n) to work with international health, accreditation and testing authorities and agencies to bring about improvement in the furtherance of these objectives;
- (o) to determine the remuneration and allowances to be paid to the members of the Board;
- (p) to fix the salaries, remuneration and benefits of the officers and employees of the Council;
- (q) to constitute from amongst its members or outside experts such committees as the Council deems necessary to carry out the purposes and functions of the Council;
- (r) to levy fees for grant, renewal or re-validation of licenses, examinations, registrations, inspections, permissions, process and any and all other ancillary services as may be performed by the Council in accordance with regulations prescribed by the Council subject to being in consonance with the purposes of providing the operational cost and long term financial sustenance and strength of the Council in accordance with the financial and development plans approved by the Council;
- (s) to determine in addition to penalties already provided for under this Act the quantum of penalties in respect of any violation or offence pursuant to this Act or as may be provided for in accordance with regulations prescribed by the Council subject to the quantum being a fair compensation for the wrong caused and a deterrent to future violations of similar nature by any person;
- (t) to do all such matters as are ancillary including issuance of policies or framing of regulations, convenient for or which foster or promote the advancement of matters that are the subject of these objectives and this Act; and
- (u) to hear appeals against any order, **act or decision** of the National Medical and Dental Academic Board.

(3) The Council may, of its own motion or otherwise, call for and examine the record of any proceedings in which an order has been passed by any officer, committee or board of the Council for the purpose of satisfying itself as to the correctness, legality or propriety or any finding or order and may pass such orders as it may deem fit:

Provided that no such order shall be passed unless the person to be affected thereby is afforded an opportunity of being heard.

10. Composition of National Medical and Dental Academic Board.- (1) The Board shall comprise the following members to be notified after approval by the Federal Government through Minister-In-Charge in the official Gazette, namely:-

- (a) the Chairman Higher Education Commission of Pakistan;
- (b) the President of the College of Physicians and Surgeons of Pakistan;
- (c) two deans/ heads of department of a public medical university/ college nominated by each Provincial Government, Islamabad Capital Territory and Gilgit-Baltistan from amongst the universities located in the respective province/ area;
- (d) one dean/ head of department of a private medical university/ college nominated by each Provincial Government, Islamabad Capital Territory and Gilgit-Baltistan from amongst the universities located in the respective province/ area;
- (e) one dean/ head of department of a public dental university/ college nominated by each Provincial Government, Islamabad Capital Territory and Gilgit-Baltistan from amongst the universities located in the respective province/ area;
- (f) one dean/ head of department of a private dental university/ college nominated by each Provincial Government, Islamabad Capital Territory and Gilgit-Baltistan from amongst the universities located in the respective province/ area; and
- (g) the principal of the Army Medical College.

(2) After the notification of the members of the Board, the Council shall forthwith and not later than fifteen days from the issuance of notification call the first meeting of the newly constituted Board.

(3) **A Dean of public sector medical university or teaching Hospital or Post Graduate Medical Institution shall be the ex-officio Chairman of the Board to be nominated by the Council.**

(4) No act done by the Board shall be invalid on the ground merely of existence of any vacancy in or any defect in the constitution of the Board.

11. Term of office of Board members.- (1) The term of a Board member shall be four years unless earlier withdrawn by the nominating or appointing authority for reasons to be disclosed to the member prior to such withdrawal. No member of the Board shall serve for more than two consecutive terms.

(2) If a member nominated to the Board under clauses (c), (d), (e) and (f) of sub-section (1) of **section 10** fails to attend three consecutive meetings of the Board without any valid reason or remains out of Pakistan for a continuous period exceeding one year, he shall cease to be the member of the Board and the nominating authority shall be required to nominate a new member in accordance with **section 10**.

(3) A member shall be removed by the Division if:-

- (a) his name has been removed from the register of practitioners as a result of inquiry under this Act; or
- (b) he becomes insane or is declared un-discharged insolvent by a competent court; or
- (c) he is convicted of a criminal offence involving moral turpitude, including unprofessional and un-ethical conduct under this Act; or
- (d) his nomination is withdrawn in accordance with sub-section (1).

(4) If the membership of a member is called in question on any of the reasons provided under sub-section (3) his membership shall be deemed suspended until the issuance of a notification of removal by the Division under sub-section (1).

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

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

(7) A vacancy in the Board shall be filled through the prescribed process of nomination under **section 10**, and the person nominated to fill the vacancy shall hold office for the remaining term of the vacancy. Any nomination required to fill a vacancy shall be submitted within fifteen days of such vacancy having occurred.

12. Meeting of the Board.- (1) The Board shall meet at least once in three months at the office of the Council on such date and at such time as may be decided by the Chairman. A notice of the meeting shall be issued at least fourteen days prior to the meeting.

(2) A meeting of the Board for a specific purpose may be called by the Council at a date and time to be determined by the President of the Council in consultation with the Chairman of the Board. In the absence of Chairman of the Board, any member may preside over the meeting with the consensus of the members.

(3) A minimum of two-thirds of the members of the Board shall form a quorum and all of the acts of the Board shall be decided by a majority of the members present and voting.

(4) The Registrar of the Pakistan Medical and Dental Council shall act as Secretary of the National Medical and Dental Academic Board.

13. Powers and Functions of the Board.- (1) The Board shall have the following functions and powers, namely:-

- (a) to formulate accreditation standards, for under-graduate medical and dental programs of study based in Pakistan and recommend to the Council for its approval;
- (b) to formulate curriculum and scope of under-graduate medical and dental programs of study in Pakistan leading to general or specialist registration of the graduates of those programs to practice medicine and dentistry in Pakistan and recommended to the Council for its approval;
- (c) to formulate the examination procedure and structure for the MDCAT to be conducted by the respective provinces for approval of the Council;
- ~~(d) to formulate the examination structure and standards of the NRE for grant of provisional medical and dental practice licenses upon completion of under-graduate training and to set up and authorize a committee of not less than three persons to formulate the examination papers of NRE for approval of the Council;~~

- (d) to formulate the examination structure and standards for the NEB examinations of different levels and to set up and authorize a committee of not less than three persons to formulate the NEB examination papers for approval of the Council;
- (e) to formulate and recommend to the Council for its approval the standards, scope and structure of the Registration Re-validation Standards (LRS) and to formulate the necessary procedures for re-validation of registrations;
- (f) to review and issue recommendations in respect of the academic standard of any foreign institution referred by the Council; and
- (g) to recommend to the Council matters pertaining to policies for improvement of the quality of medical and dental practitioners and health-care in Pakistan.

14. Registrar of the Council.- (1) The Council shall appoint through a transparent process on merit a Registrar who shall act as the Registrar to the Council and the Board in the prescribed manner.

~~(2) The Registrar shall be appointed for a term of four years. No person shall be appointed as Registrar for more than two terms.~~

(2) The Registrar shall maintain all records of the Council and the Board including recording and issuing the minutes of all meetings of the Council and the Board in real time and as approved at the relevant meeting and shall under his signatures issue all notifications and decisions of the Council and the Board as and when necessary.

(3) The Registrar shall be the custodian of the common seal of the Council.

(4) The Registrar shall cause all minutes of the meetings of the Council and the Board as approved, audited accounts of the Council and all notifications and decisions of the Council and the Board to be displayed on the website of the Council.

15. Committee of the Council.- The Council and the Board shall have the power to constitute necessary committees comprising of its members and such other persons as the Council and the Board deem proper for undertaking the functions of the Council or to advise and assist the Council and the Board in exercise of its powers.

16. Executive Committee.- (1) The Executive Committee consists of nine **maximum** members, of whom seven shall be elected by the Council from amongst its members and of which at least one shall be from a dental university/ college and one from the medical university. The President shall have the power to co-opt a maximum of two additional members to the Committee.

(2) The President: ~~Vice-President~~ of the Council shall be ex-officio members of the Executive Committee and shall be its President. ~~and Vice-President respectively.~~

(3) 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.

17. Medical and Dental Colleges Admission Tests (MDCAT).- (1) Each province, Gilgit-Baltistan and Islamabad Capital Territory as per the policy and standards approved by the Provincial Governments and Federal Government respectively shall conduct on the dates approved by the Council, a single admission test based on the Intermediate or equivalent syllabus for all students seeking admission in undergraduate programs both in public and private medical and dental colleges and universities.

(2) No student shall be awarded a medical or dental degree in Pakistan who has not passed the MDCAT prior to obtaining admission in a medical or dental college in Pakistan:

Provided the mandatory requirement of MDCAT shall not apply to students seeking admission on a special program seat predefined exclusively for foreign students and on the seats reserved for overseas Pakistanis.

(3) The admission to medical and dental programs conducted by public and private colleges and universities shall be regulated as per the policy and standards of the Federal Government through Minister-In-Charge, Provincial Government and Gilgit- Baltistan strictly on merit. However, private colleges may take any additional entrance test subject to any condition imposed by the relevant university to which such college is affiliated:

Provided that the marks obtained by a student in MDCAT conducted by the province shall constitute a minimum of fifty percent of the weightage for the purposes of admission in the public and private colleges.

(4) The MDCAT result of one province shall be valid for the entire country and shall be valid for a period of three years. Each province, Gilgit Baltistan and Islamabad Capital Territory shall give preference to the students having domicile of their respective province or territory as the case may be.

(5) Admissions on vacant seats shall be decided by the respective provincial government and respective authority in case of Gilgit-Baltistan and Islamabad Capital Territory.

18. National Registration Examination (NRE).- (1) The Council shall at least twice a year as per schedule approved by the Council conduct the NRE for Pakistani Foreign graduate student. Passing the NRE shall be mandatory for obtaining a full registration. The NRE shall be substantially based on objective computer based multiple choice questions and a practical component if determined by the Council:

Provided that there shall be no limit on the number of times a person may attempt the NRE.

(2) A person, having obtained an undergraduate medical or dental qualification issued by a foreign university or an undergraduate medical or dental qualification issued by a foreign institution duly recognized by the Council, shall be granted a provisional registration to undertake his house job within fourteen days of verification of their qualification by the granting institution:

Provided that the person to whom a provisional registration is granted shall complete the mandatory requirement of passing the NRE at any time prior to issuance of full registration of foreign Pakistani graduates.

(3) Any medical or dental practitioner who has obtained a registration to practice in any foreign country after having qualified from a foreign institution recognized by the Council shall be required to qualify the NRE for grant of a full registration to practice in Pakistan.

19. National Equivalence Board Examination (NEB).- (1) The Council shall at least twice a year as per schedule approved by the Council conduct the NEB to assess and oversee the assessment of the knowledge, clinical skills and professional attributes of students who have partially completed a medical and dental program in a foreign institution and are seeking transfer to and admission in a medical or dental college in Pakistan. The NEB shall be substantially based on objective computer based multiple choice questions.

(2) Any student who has been enrolled a medical or dental institution or college outside Pakistan and has completed more than two years of the program may seek transfer and admission to a medical or dental college in Pakistan subject to qualifying the relevant standard of the NEB for the prescribed period of each program of study pursuant to which the student shall be qualified to obtain admission in the immediately subsequent year.

(3) A student shall be required to take the NEB within twelve months of having left his program of study outside Pakistan in order to be eligible for admission to a medical or dental college in Pakistan.

20. Standards of Medical and Dental Education.- (1) All universities shall ensure that all medical and dental colleges at the time of seeking affiliation fulfill and thereafter consistently maintain the accreditation standards including the maximum students in each year permitted consequent to the accreditation standards for undergraduate medical and dental programs of study based in Pakistan as formulated by the Board and approved by the Council:

Provided that every private medical and dental college seeking affiliation shall be body corporate registered as a limited company under the **Companies Act, 2017 (XIX of 2017)**.

(2) All universities shall ensure that all affiliated or constituent colleges conduct programs of study for grant of undergraduate medical or dental degrees as per the curriculum and scope of undergraduate medical education prescribed by the board and approved by the Council.

(3) All universities shall ensure that all affiliated or constituent colleges within thirty days of completing their admissions each year provide to the Council particulars of the students enrolled and further provided any change in the status of the student during the students period of studies including discontinuation of studies or transfer to another college within fifteen days of such change occurring.

(4) All universities shall within ten days of students having successfully completed the program of study and passed their final examinations inform the Council verifying the results to enable the student to be registered.

(5) The standard and structure of faculty shall be regulated as prescribed by the National Medical and Dental Academic Board of Pakistan or any other law applicable to a teaching institution subject to the minimum standards determined by the Board.

(6) Any violation by a medical or dental college shall be actionable by the Council in accordance with regulations as may be prescribed by the National Medical and Dental Academic Board of Pakistan.

(7) All medical and dental colleges shall, at least three months prior to initiating the annual admissions process, publicly declare the fixed tuition and all ancillary fee structure on an annual basis for the entire program of study in which the students are seeking enrolment and which fee structure shall not be enhanced during the students period of enrolment at the college. No medical or dental college shall seek, demand or receive from a student or a student's family, directly or indirectly, any donation or other payment prior to or at the time of admission or thereafter during the period of the students continuing enrolment at the college whether as consideration for grant of admission or otherwise.

(8) At the beginning of each year, an undergraduate medical or dental program of the medical and dental colleges shall submit their annual financial statements for the previous year and any other years required by the Council, proposed fee structure and its justification to the Council.

(9) The private medical and dental college may obtain affiliation with any university having a medical faculty, duly recognized by the National Medical and Dental Academic Board subject to such university subject to its territorial jurisdiction.

21. Recognition of medical institutions and qualifications.- (1) The Federal Government through Minister-In-Charge may grant recognition to any medical institution in Pakistan which trains or grants or both trains and grants medical qualifications and the qualifications granted by them. All such recognized medical institutions or qualifications shall be included in the First Schedule by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) If any medical institution in Pakistan intends to get recognition of the institution which trains or grants or both trains and grants medical qualifications or qualification granted by it in pursuance of sub-section (1) it shall apply to the Federal Government through Minister-In-Charge for the same.

(3) The Federal Government through Minister-In-Charge shall transmit the application to the Council after being satisfied that application is complete and is in accordance with the prescribed procedure. The Council shall form recommendations for the Federal Government through Minister-In-Charge after assessing the institution and the qualification as prescribed procedure. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge 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 First Schedule against such institution and medical qualification granted by it, declaring that it shall be a recognized medical institution or qualification only when granted after the date of notification.

22. Recognition of hospitals or institutions for house job or internship or foundation year training.- (1) The Federal Government through Minister-In-Charge may grant recognition to any hospitals or institutions in Pakistan which train for house job or internship or foundation year. All such recognized hospitals or institutions shall be included in the **Fourth Schedule** by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) If any hospital and institution in Pakistan intends to get recognition of the institution which trains for house job, internship or foundation year in pursuance of sub-section (1), it shall apply to the Federal Government through Minister-In-Charge for the same.

(3) The Federal Government through Minister-In-Charge shall transmit the application to the Council after being satisfied that application is complete and is in accordance with the prescribed procedure. The Council shall form recommendations for the Federal Government through Minister-In-Charge after assessing the institution as per prescribed procedure. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge 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 Fifth Schedule against such hospital or institution, declaring that it shall be a recognized hospital or institution only when granted after the date of notification.

23. Arrangements for Schemes with foreign countries.- 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 medical education in Pakistan or postgraduate degrees or any matter or prospect related to the medical or dental profession.

24. Power of the Council to certify certain persons to be possessed of sufficient medical qualification.- (1) If after National Registration Examination by the Board, the Council is satisfied that a person holding a qualification granted by a medical institution outside Pakistan, is possessed of sufficient knowledge and skill to be registered as a practitioner for the purpose of this Act, it may recommend to the Federal Government through Minister-In- Charge to issue a notification in favour of such person to register him and his qualification. Upon such notification, the Council shall register the qualification possessed by the person without it being entered in any of the Schedule of this Act.

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

25. Additional medical or dental qualifications.- (1) The Federal Government through Minister-In-Charge may grant recognition to any post-graduate medical or dental institutions in or outside Pakistan which train or grant or both train and grant additional medical or dental qualifications and the qualifications granted by them. All such recognized additional medical or dental institutions or qualifications shall be included in the Second Schedule by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) If any post-graduate medical and dental institution in or outside Pakistan intends to get recognition of the institution which trains or grants or both trains and grants additional medical and dental qualifications or qualification granted by it in pursuance of sub-section (1) it shall apply to the Federal Government through Minister-In-Charge for the same. If an institution wishes to only train for a recognized postgraduate qualifications in any speciality, it shall apply to the qualification awarding body and after consultation and approval of the Council, the institution shall be added in the Second Schedule.

(3) The Federal Government through Minister-In-Charge shall transmit the application to the Council after being satisfied that application is complete and is in accordance with the prescribed procedure. The Council in consultation with the Board shall form recommendations for the Federal Government through Minister-In-Charge after assessing the institution and the qualification as per prescribed procedure. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge 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 Second Schedule against such institution and additional medical and dental qualification granted by it, declaring that it shall be a recognized post-graduate medical and dental institution and additional medical and dental qualification only when granted after the date of notification

26. Recognition of foreign additional medical or dental qualification.— The Council shall evaluate any additional medical or dental qualifications granted by any foreign institution and may—

- (a) recommend to the Federal Government through Minister-in-Charge that such institution or qualification be—
 - (i) recognized and included in the Second Schedule as specified in section 25; or
 - (ii) notified only and shall not be included in the Second Schedule, however, a separate list thereof shall be maintained; or
- (b) proceed as per section 24 or 30, as the case may be.

27. Recognition of continuous professional development opportunity providers.-

(1) The Federal Government through Minister-In-Charge may grant recognition to any organization in Pakistan, which provides opportunities of continuous professional development to the registered medical and dental practitioners. All such recognized organizations shall be included in the Fifth Schedule by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) If any organization in Pakistan, which provides opportunities of continuous professional development to the registered medical and dental practitioners, intends to get recognition of the organization in pursuance of sub-section (1) it shall apply to the Federal Government through Minister-In-Charge for the same.

(3) The Federal Government through Minister-In-Charge shall transmit the applications to the Council after being satisfied that application is complete and is in accordance with the prescribed procedure. The Council shall form recommendations for the Federal Government through Minister-In-Charge after assessing the institution and the qualification as per prescribed procedure. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge shall grant recognition as provided under sub-section (1), declaring that it shall be a recognized organization in Pakistan, which provides opportunities of continuous professional development to the registered medical and dental practitioners 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.

28. Role of specialists' boards.- (1) The Federal Government through Minister-In-Charge may grant recognition to specialists boards which shall help the Council in maintenance of such minimum standards of proficiency in that particular specialty as may be prescribed by the Council. All recognized specialists boards shall be included in the **Sixth** Schedule by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) The Council shall authorize a specialists board constituted as per prescribed procedures and shall form recommendations for the Federal Government through Minister-In-Charge. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge shall grant recognition as provided under subsection (1), declaring that it shall be a recognized specialists board only when granted after the date of notification.

29. Recognition of medical and dental institutions and qualifications.- (1) The Federal Government through Minister-In-Charge may grant recognition to any medical and dental institution in Pakistan which train or grant or both train and grant medical and dental qualifications and the qualifications granted by them. All such recognized medical and dental institutions or qualifications shall be included in the **Third** Schedule by the Federal Government through Minister-In-Charge by notification in the official Gazette.

(2) If any medical and dental institution in Pakistan intends to get recognition of the institution which trains or grants or both trains and grants medical and dental qualifications or qualification granted by it in pursuance of sub-section (1) it shall apply to the Federal Government through Minister-In-Charge for the same.

(3) The Federal Government through Minister-In-Charge shall transmit the application to the Council after being satisfied that application is complete and is in accordance with the prescribed procedure. The Council shall form recommendations for the Federal Government through Minister-In-Charge after assessing the institution and the qualification as per prescribed procedure. Upon receiving recommendations from the Council, the Federal Government through Minister-In-Charge 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 medical and dental qualification granted by it, declaring that it shall be a recognized medical and dental institution and medical and dental qualification only when granted after the date of notification.

30. Power of the Council to certify certain persons to be possessed of sufficient dental qualifications.- (1) If after NRE by the Board, the Council is satisfied that a person holding a qualification granted by a dental institution outside Pakistan, is possessed of sufficient knowledge and skill to be registered as a practitioner for the purpose of this Act, it may recommend to the Federal Government through Minister-In-Charge to issue a notification in favour of such person to register him and his qualification. Upon such notification, the Council shall register the qualification possessed by the person without it being entered in any Schedule of this Act.

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

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

Every medical or dental institution or hospital or organization in Pakistan recognized under this Act, which trains for or grants or both trains for and grants a medical or a dental qualification, additional medical or dental 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.

32. Inspection.- (1) The Executive Committee constituted by the Council shall approve a list of inspectors in the country and the President shall commission such number of medical or dental inspectors from the approved list, as it may deem appropriate, to inspect the facilities for training available at the medical or dental institutions and attend at any or all of the examinations held by medical or dental institutions in Pakistan recognized under this Act for the purpose of granting recognized medical or dental or additional medical or dental qualifications.

(2) Inspectors 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 medical or dental institution inspected for different stages leading up to examinations and on any other matters in regard to which the President or Committee may require them to report.

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

33. Withdrawal of recognition.- (1) If a recognized institution is violating provisions of this Act and regulations made thereunder or the facilities for training for the courses of study or standard of examination in the institution to obtain a recognized medical or dental qualification, additional medical or dental 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 granting such qualification is not such as to secure to persons holding such qualification the knowledge and skill requisite for the efficient practice of medicine or dentistry, the Council may stop further intake of students in the institution and forward a summary of its findings and its intend to the medical or dental institution with an intimation of the period within which the medical or dental institution may submit its explanation to the Council and may request for a hearing before the Council if it so desires.

(2) If the Council is not satisfied with the explanation then it shall make a recommendation to the Federal Government through Minister-In-Charge 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 the recommendations of the Council, the Federal Government through Minister- In-Charge may, by notification in the official Gazette, direct that an entry shall be made in the First, Second, **Third, Fourth or Fifth Schedule**, as the case may be, against the said medical or dental or a postgraduate institution and qualification granted by it, hospital or continuous professional development opportunity provider declaring that it shall be a recognized medical, dental or additional medical or dental qualification, institution, hospital and continuous professional development opportunity provider only before the date of notification.

34. Establishment and running of medical and dental institutions without recognition.- No person shall run nor establish any institution for training or grant or both training or grant of medical or dental qualifications, additional medical or dental education, training for house job, internship or 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.

35. Penalty.- (1) Whoever runs or establishes or endorses any institution or advertises admissions in an institution for imparting education in medicine or dentistry, which is not recognized under sections 21, 22, 25, 26 or 29 or in respect of which recognition has been withdrawn under section 33, 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 to twenty million rupees but shall not be less than ten million rupees or with both and shall also be liable to closure of such institution.

(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 under the Companies Ordinance, 1984 (XLVII of 1984), as amended from time to time, only its chief executive shall be liable under this section.

Explanation.- For the purposes 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) as amended from time to time, or under the Co-operative Societies Act, 1925 (VII of 1925) as amended from time to time.

(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 the Government agency, local authority or local council, such head or other officer shall also be deemed guilty of such contravention along with the Government agency, local authority or local council and shall be liable to be proceeded against and punished accordingly.

36. Maintenance of register of medical practitioners.- (1) The Council shall maintain a Register of medical practitioners possessing qualifications which are recognized medical or additional medical 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 **Fourth** Schedule which shall be mandatory for conversion of provisional registration into full registration.

(2) The practitioner shall be deemed to hold a valid registration and entitled to be known and eligible for privileges of a registered medical practitioner if his name is retained on the Register after fulfilment of requirements of continuation of registration as laid down by the Council from time to time and provided he had paid the dues of the Council. The valid registration certificate shall be the licence to practice medicine in Pakistan.

37. Maintenance of Register of dental practitioners.- (1) The Council shall maintain a Register of dental practitioners possessing qualifications which are recognized dental or additional dental 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 **Fourth** Schedule which shall be mandatory for conversion of provisional registration into full registration.

(2) The practitioner shall be deemed to hold valid registration and entitled to be known and eligible for privileges of a registered dental practitioner if his name is retained on the Register after fulfilment of requirements of continuation of registration as laid down by the Council from time to time and provided he had paid the dues of the Council. The valid registration certificate shall be the licence to practice dentistry in Pakistan.

38. Registers to be public documents.- The Register maintained under section 36 or section 37 shall be deemed to be public document within the meaning of the Qanun-e-Shahdat, 1984.

39. Penalty for fraudulent representation or registration.- Whoever falsely pretends to be registered under this Act as a medical practitioner or dentist and uses with his name or title any words or letters representing that he is so registered with the Council or uses the word "doctor" without legal basis, irrespective of whether any person is actually deceived by such pretence 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.

40. Penalty of practicing without registration.- (1) No person, other than a registered medical or dental practitioner, shall practice medicine or dentistry.

(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 one hundred thousand rupees or with both.

41. Cognizance of offences.- (1) No court except the Medical Tribunal established under the Medical Tribunal Act, 2020 (XXXIV of 2020) shall take cognizance of any offence or matter under this Act except upon complaint in writing made by the authorized officer of the Council.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), it shall be lawful for the Medical Tribunal established under the Medical Tribunal Act, 2020 (XXXIV of 2020) to pass any sentence authorized by this Act even if such sentence exceeds his powers under section 32 of the said Code.

42. Privileges of registered medical or dental practitioners.- (1) A registered medical practitioner and dentist shall have following privileges, namely:-

- (a) Valid registration shall be considered as a licence to practice medicine and dentistry in Pakistan and of a level mentioned by the Council in the registration certificate;
- (b) Valid full registration shall be competent to practice medicine or dentistry and prescribe allopathic medicine and perform any surgical or interventional procedure on any patient;
- (c) A registered medical practitioner or a registered dentist having valid full registration may take admission for an additional qualification course;
- (d) To hold any medical or dental or relevant administrative appointment in any medical or dental institution or setup or hospitals or clinic or related health institution; **and**
- (e) To hold a commission as a medical or dental officer in the Armed Forces.

(2) Notwithstanding anything to the contrary contained in any other law for the time being in force, no medical certificate or prescription or advice shall be considered valid unless obtained from a medical or dental practitioner having valid registration.

(3) No person shall be entitled to recover any charge in any court of law for any medical or surgical advice or attendance or for the performance of any operation or intervention or for any medicine prescribed or supplied unless he can prove upon the trial that he is a registered medical practitioner having valid registration.

43. Responsibilities of registered medical or dental practitioner.- (1) Every registered medical or dental practitioner 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 the Register by order of the Federal Government through Minister-In-Charge either permanently or for such period as may be specified therein.

(2) No registered person shall use or publish in any way whatsoever any time, title, description or symbol indicating or calculated to lead persons to infer that he possesses any additional or other professional qualification unless the same has been conferred upon him by a legally constituted authority within or outside Pakistan and which is recognized under this Act.

(3) Every registered medical practitioner or dental practitioner shall comply with the code of medical ethics prescribed by the Council.

44. Removal of names from the Register.- (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 medical practitioner or registered dentist 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 in a patient doctor scenario in clinical setting 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 code of ethics of practice regulations and the complaint and matter shall finish if the complainant withdraws his complaint.

(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.

45. Officers etc. deemed to be the public servants.-The members, offices, employees and other staff of the Council shall deem to be the public servants within the meanings of section 21 of the Pakistan Penal Code, 1860 (Act XLV of 1860).

46. Indemnity.- No suit, prosecution or other proceedings shall lie against the Federal Government through Minister-In-Charge, the Division, the Council, the Board or any committee of the Council, President,~~Vice-President~~ or any member, officer or employee of the Council in respect of anything done or intended to be done in good faith under this Act.

47. Power to make Rules and Regulations.- (1) The Council may, with the **prior approval of the** Federal Government through Minister-In-Charge, make **statutory** rules and regulations generally to carry out the purposes of this Act, and, without prejudice to the generality of this power, such rules and regulations may provide for:-

- (a) the management of the property of the Council and the maintenance and audit of its accounts;
- (b) the summoning and holding of meetings of the Council, the times and places where such meetings are to be held, the conduct of business there at and the number of members necessary to constitute a quorum;
- (c) the powers and duties of the President ~~and Vice-President~~;
- (d) 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;
- (e) code of practice and ethics for the medical and dental practitioners;
- (f) the appointment, powers, duties and procedures of medical and dental inspectors;
- (g) the conditions and procedure for maintenance, compilation and publication of the Register of medical and dental 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;

- (h) the procedure for any inquiry under sub-section (1) of section 44; and
- (i) any matter for which under this Act provision may be made by rules and regulations.

(2) Notwithstanding anything contained in sub-section (1) the Council shall make **statutory** Regulations which may provide for:-

- (a) prescribing a uniform minimum standard of courses of training for obtaining graduate and post-graduate medical and dental qualifications to be included or included respectively in the First and **Third** Schedules;
- (b) prescribing minimum requirements for the content and duration of courses of study as aforesaid;
- (c) prescribing the conditions for admission to courses of training as aforesaid;
- (d) prescribing minimum qualifications and experience required of teachers for appointment in medical and dental institutions;
- (e) prescribing the standards of examinations, methods of conducting the examinations and other requirements to be satisfied for securing recognition of medical and dental qualifications under this Act;
- (f) prescribing the qualifications, experience and other conditions required for examiners for professional examinations in medicine and dentistry antecedent to the granting of recognized medical and dental and additional medical and dental qualifications;
- (g) registration of medical or dental students at any medical or dental college or school or any university and the fees payable in respect of such registration;
- (h) 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 medical and dental institutions for recognition and continuation of recognition and inspection of examinations in these institutions and fee for such inspections;

- (i) terms and conditions of service for all employees appointed under section 9 which shall be gazette notified;
- (j) election of members of the Council; and
- (k) prescribing a uniform minimum standard for continuous professional development for registered graduate and post-graduate medical and dental practitioners.

48. Information to be furnished by the Council and publication thereof.- (1) The Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Federal Government through Minister-In-Charge as it may require.

(2) The Federal Government through Minister-In-Charge 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 section 21.

49. Commission of Inquiry.- (1) Whenever it is made to appear to the Federal Government through Minister-In-Charge that the Council is not complying with any provisions of this Act, the Federal Government through Minister-In-Charge may refer the particulars of the complaint to a commission of inquiry consisting of three persons two of whom shall be appointed by the Federal Government through Minister-In-Charge, including the chairman being at least a judge of a High Court, and one member nominated by the Council after a resolution.

(2) Such commission shall proceed to inquire in a summary manner and to report to the Federal Government through Minister-In-Charge 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) The Federal Government through Minister-In-Charge shall the report of the commission of inquiry to the Council for implementation and for remedial actions. The Council shall submit to the Federal Government through Minister-In-Charge a detailed plan of remedial measures to be adopted by the Council which shall be considered as approved if no further orders are passed by the Federal Government through Minister-In-Charge in this regard within three months. All remedial actions shall be taken by the Council within a stipulated period of six months and the Council shall submit to the Federal Government through Minister-In-Charge a report of actions taken thereon. If the Council fails to comply

with the remedial measures forwarded to it by the Federal Government through Minister-In-Charge. The Federal Government through Minister-In-Charge may by itself amend the 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.

(4) 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).

50. Over-riding provision.- The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force. No suit, prosecution or other legal proceeding shall lie against the Government, the Council or any committee thereof or any officer or servant of the Government or the Council for anything which is in good faith done or intended to be done under this Act.

51. Repeals and Savings.- (1) Subject to section 6 of the General Clauses Act, 1897 (X of 1897), the Pakistan Medical Commission Act, 2020 (XXXIII of 2020) hereinafter referred to as the repealed Act, shall stand repealed.

(2) Notwithstanding the repeal of the repealed Act or anything contrary contained herein, all decisions taken, regulations made or amended and disciplinary actions taken by the Commission of the dissolved Pakistan Medical Commission pursuant to the repealed Act and by the Pakistan Medical Commission pursuant the shall be deemed to have been validity made:

Provided that all regulations made and promulgated pursuant to the repealed Act, stand repealed and shall not be enforceable:

Provided further that the Council shall have the exclusive power to review and modify saved decision taken, regulation made or amended and disciplinary action taken.

(3) The dissolved Pakistan Medical Commission as formed pursuant to the repealed Act stands dissolved upon the commencement of this Act.

(4) All assets, rights moveable and immovable properties, records, cash, bank accounts, deposits etc., of the dissolved Pakistan Medical Commission under

the repealed Act shall stand transferred to the Council and shall be deemed to be the assets, rights, properties, records, cash, bank accounts, deposits etc., of the Council.

(5) On commencement of this Act all employees of the dissolved Pakistan Medical and Dental Council constituted under Pakistan Medical and Dental Council Ordinance, 1962 shall be deemed to be employees of the Council constituted under this Act on terms and conditions of their initial appointment under Pakistan Medical and Dental Council, 1962.

(6) Upon commencement of this Act any action taken, proceedings initiated, pending or concluded, decisions made, orders passed or notification issued under the repealed Act regarding golden shake hand scheme or any other severance package of employees or change of terms and conditions of pension of retired employees dissolved Pakistan Medical and Dental Council hereby recalled and shall have no legal effect:

Provided that all such employees shall stand reinstated on such terms and conditions of their initial appointment.

(7) Upon commencement of this Act all employees appointed under Pakistan Medical Commission Act, 2020 whether temporary or contractual shall cease to be employees of the Council.

- (i) Upon cessation of the employment the employees and officers of the dissolved Pakistan Medical Commission shall retain no further right of employment with the Council formed pursuant to this Act.
- (ii) Any amounts recoverable from the employees of Pakistan Medical Commission as existing on the date of dissolution of Pakistan Medical Commission or as determined thereafter by the Council shall be immediately recovered by the Council.

(8) All assets, liabilities, payables and receivable of the dissolved Pakistan Medical Commission under the repealed Act shall be deemed to be the assets, liabilities, payables and receivables of the Council.

(9) All registration, recognitions etc., granted by the dissolved Pakistan Medical Commission under the repealed Act shall be deemed to be registrations, recognitions granted by the Council subject to not being in conflict with this Act and the provisions of this Act or the same being within the power of the Council to recognize and register pursuant to this Act.

52. Transitory provision.- Upon the commencement Pakistan Medical and Dental Council Act, 2022, the incumbent Commission constituted under section 4 of the Pakistan Medical Commission Act, 2020, shall stand dissolved and the Minister in charge of the Division shall look after the affairs of the Council till the constitution of new Council under this Act ~~and till a new president, vice-president of the Council~~ is elected by the Council. The Minister in charge of the Division shall exercise the powers of the Council during the transitory period.

(First Schedule)

THE FIRST SCHEDULE

(See section 21)

RECOGNISED MEDICAL QUALIFICATIONS GRANTED BY MEDICAL
INSTITUTIONS IN PAKISTAN.

Medical Institution.	Recognised medical qualification.	Abbreviation for registration.
University of the Punjab	Licentiate in Medicine and Surgery.	L.M.S., Punjab.
	Bachelor of Medicine	M.B., Punjab.
	Bachelor of Medicine and Bachelor of Surgery.	M.B. B.S., Punjab.
Punjab State Medical Faculty	Licentiate in Medicine and Surgery (when the holder of the qualification had passed the F.Sc. (Medical Group) examination of a recognized University before taking up medical studies.	L.M.S. (P.S.M.F.)
University of Karachi	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.S., Karachi.
University of Sind	Bachelor of Medical and Bachelor of Surgery.	M.B., B.S. Sind.
University of Peshawar	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.S., Peshawar.
Fatima Jinnah, Medical College Lahore	Bachelor of Medicine and Bachelor of Surgery	M.B.B.S.

THE SECOND SCHEDULE

(See section 25, 26)

RECOGNISED ADDITIONAL MEDICAL QUALIFICATIONS

Medical Institution.	Recognised Additional Medical Qualification.	Abbreviations for Registration.
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Part 'A'

GRANTED BY MEDICAL INSTITUTIONS IN PAKISTAN.

University of the Punjab.	Doctor of Medicine	M.D. (Punjab).
	Master of Surgery	M.S. (Punjab).
	Diploma in Public Health	D.P.H. (Punjab).
	Diploma in Ophthalmology	D.O. (Punjab).
	Diploma in Medical Radiology and Electrology granted on or before the 14th October, 1959.	D.M.R.E. (Punjab).
	Diploma in Tuberculosis and Chest Diseases granted in or after 1969.	D.T.C.D. (Punjab).
	Diploma of Laryngology and Otology.	D.L.O. (Punjab).
	Diploma in Medical Radiology (Diagnostic).	D.M.R.D. (Punjab.)
	Diploma in Medical Radiology (Therapeutics).	D.M.R.T. (Punjab).
	Diploma in Maternal and Child Health.	D.M.C.H. (Punjab).

	Diploma in Anaesthesia.	D.A. (Punjab).
	Diploma in Clinical Pathology.	D.C.P. (Punjab).
	Diploma in Gynaecology and Obstetrics.	D.G.O. (Punjab).
	Diploma in Child Health	D.C.H. (Punjab).
University of Karachi	Master of Philosophy (Anatomy).	M. Phil. Anatomy (Karachi).
	Master of Philosophy (Physiology).	M. Phil. Physiology (Karachi).
	Master of Philosophy (Pharmacology).	M. Phil. Pharmacology (Karachi).
	Master of Philosophy (Pathology).	M. Phil. Pathology (Karachi).
	Master of Philosophy (Microbiology).	M. Phil. Microbiology (Karachi).
	Master of Philosophy (Bio-chemistry).	M. Phil. Biochemistry (Karachi).
	Doctor of Medicine	M.D. (Karachi).
	Master of Surgery.	M.S. (Karachi).
College of Physicians and Surgeons of Pakistan.	Fellow of the College of Physicians and Surgeons of Pakistan.	F.C.P.S. (Pak).
	Member of College of Physicians and Surgeons of Pakistan.	M.C.P.S. (Pak).
Khyber Medical University Peshawar:		
Khyber Girls Medical College, Peshawar	Master of Philosophy (Anatomy).	M. Phil. (Anatomy).
	Master of Philosophy	M. Phil.

Shaheed Zulfiqar Ali
Bhutto Medical
University,
Islamabad

(Physiology).	Physiology.
Master of Philosophy (Bio-chemistry).	M. Phil. Biochemistry
Master of Philosophy (Pharmacology).	M. Phil. (Pharmacology).
Master of Philosophy (Chemical Pathology).	M. Phil. (Pathology)
Master of Philosophy (Hematology).	M. Phil. (Hematology).
Master of Philosophy (Microbiology).	M. Phil. (Microbiology).
Master of Philosophy (Histopathology).	M. Phil. (Histopathology).
Diploma in Medical Jurisprudence	DMJ
Doctor of Medicine Internal Medicine Doctor of Medicine Paediatric Medicine	MD Internal Medicine MD Paediatric Medicine
Doctor of Medicine Nephrology	MD Nephrology
Doctor of Medicine Critical Care Medicine	MD Critical Care Medicine
Doctor of Medicine Gastroenterology	MD Gastroenterology
Doctor of Medicine Dermatology	MD Dermatology
Master of Surgery General Surgery	MS General Surgery
Master of Surgery Urology	MS Urology
Master of Surgery Neurosurgery	MS Neurosurgery
Master of Surgery Orthopedic Surgery	MS Orthopedic Surgery

Master of Surgery Paediatric Surgery	MS Paediatric Surgery
Master of Surgery ENT	MS ENT
Master of Surgery Accident and Emergency	MS Accident and Emergency
Master of Surgery Plastic Surgery	MS Plastic Surgery
Master of Surgery Obstetrics and Gynecology	MS Obstetrics and Gynecology
Master of Philosophy Histopathology	M. Phil Histopathology
Master of Philosophy Chemical Pathology	M. Phil Chemical Pathology
Master of Philosophy Hematology	M. Phil Hematology
Master of Philosophy Pathology	M. Phil (Pathology)
Diploma in Clinical Pathology	D.C.P.
Diploma in Obstetrics & Gynecology	D.G.O.
Diploma in Anesthesiology	D.A.
Diploma in Child Health	D.C.H.
Diploma in Medical Radiology & Diagnostic	D.M.R.D.
Master of Surgery in Burns Surgery	M.S. Burns Surgery
Master of Surgery in Ophthalmology	M.S. Ophthalmology

Doctor of Medicine
Histopathology

M.D.
Histopathology

Doctor of Medicine
Neonatology

M.D.
Neonatology

Part 'B'

GRANTED BY MEDICAL INSTITUTIONS OUTSIDE PAKISTAN

India:

University Bombay	of	Doctor of Medicine	M.D. (Bombay).
		Master of Surgery	M.S. (Bombay).
University Calcutta	of	Doctor of Medicine	M.D. (Calcutta).
		Master of Surgery	M.S. (Calcutta).
		Diploma in Public Health	D.P.H. (Calcutta).
		Master of Obstetrics	M.O. (Calcutta).
University Lucknow	of	Doctor of Medicine	M.D (Lucknow).
		Master of Surgery	M.S (Lucknow).
University of Madras		Doctor of Medicine	M.D (Madras)
		Master of Surgery	M.S (Madras).
University of Patna		Doctor of Medicine	M.D (Patna).
		Master of Surgery	M.S (Patna).
Andhra University		Doctor of Medicine and Master of Surgery	M.D., M.S., Andhra
United Kingdom		[Doctor of Philosophy (Basic Medical Subjects Master of Science)	Ph.D.
		(Basic Medical Subjects)	M.Sc
		Post Graduate Diplomas	D.A., D.A.P. & E. D. Bact., D.C.H. D.C.M.T., D.C.P.

D.I.H., D.L.O.,
D.M.J., D.M.R.
D., D.M.R.T.,
D.M.S.A., (Edin),
D.O. Hyg., D.O.,
D.Phys. Med.,
D.P.M.,
D.T.C.D.,
D.T.P.H. (Only
when granted
after training of
atleast one
academic year)

Universities of:

Birmingham, Bristol,
Cambridge,
Durham, Leeds,
Liverpool, London,
Manchester, Oxford,
Sheffield, Wales,
Aberdeen,
Edinburgh,
Glassgow, Exeter,
New Castle Upon
Tyne,] St. Andrews
and Bolfast

Doctor of Medicine

M.D

Master of Surgery

M.S. or M. Ch.

Diploma in Public
Health.

D.P.H.

Royal College of
Physicians of
London.

Member, Fellow

M.R.C.P.,
F.R.C.P.
(London).

Royal College of
Surgeons of London.

Fellow

F.R.C.P.
(England).

Royal College of
Physicians of
Edinburgh.

Member, Fellow

M.R.C.P.,
F.R.C.P., (Edin).

Royal College of
Surgeons of
Edinburgh.

Fellow

F.R.C.S. (Edin).

Royal Faculty lege of
Physicians and
Surgery of Glasgow.

Fellow

F.R.F.P.S.
(Glasgow).

Diploma in Public
Health. D.P.H. (R.C.P.S.
England

Royal College of Physicians and Surgeons, England.	Diploma in Public Health.	D.P.H. (R.C.P.S. England).
Royal College of Physicians and Surgeons of Glasgow.	Member, Fellow, Honorary Fellow	M.R.C.P. (Glasg.) F.R.C.P. (Glasg.) F.R.C.S. (Glasg.) Hon. F.R.C.P.S. (Glasg.)
	[Post-Graduate Diploma.	D.A., D.A.P. & E. D. Bat., D.C.H., D.C.M.T., D.C.P., D.I.H., D.L.O., D.M.J., DMR. D. D.M.R.T. D.M.S.A., (Edin), D.O. Hyg., D.O., D. Obst. R.C.O.G. D.P.H., D. Phys. Med., D.P.M., D.T.C.D., D.T.P.H.
		(Only when granted after training of at least one academic year);]
Republic of Ireland:		
University of Dublin	Doctor of Medicine	M.D.
National University of Ireland.	Master of Surgery	M. Ch.
	Master in Obstetrics	M.A.O.
Royal College of Physicians of Ireland.	Member Fellow	M.R.C.P. (Ireland). F.R.C.P. (Ireland).
Royal College of Surgeons in Ireland.	Fellow	F.R.C.S. (Ireland). D.G.O.
	[Diploma in Obstetrics and Gynaecology.	

United State of

America.

Indiana University

Doctor of Philosophy

Ph. D. (Basic
Medical
Subject).

THE THIRD SCHEDULE

(See section 18)

RECOGNISED DENTAL QUALIFICATIONS

Medical Institution.	Recognised Dental Qualification	Abbreviation for registration.
University of the Punjab	Bachelor of Dental Surgery.	B.D.S. (Punjab).
Punjab State Medical Faculty.	Licentiate in Dental Surgery	L.D.S. (PSMF).
University of Sind.	Bachelor of Dental Surgery	B.D.S (Sind).
University of Peshawar.	Bachelor of Dental Surgery.	B.D.S. (Peshawar).
Shaheed Zulfiqar Ali Bhutto Medical University, Islamabad	Master of Dental Surgery Oral and Maxillofacial Surgery	MDS Oral and Maxillofacial Surgery
	Master of Dental Surgery Paediatric Dentistry	MDS Paediatric Dentistry

THE FOURTH SCHEDULE

(see section 22)

APPROVED HOSPITALS OR INSTITUTIONS

S.No.	Approved Hospitals or Institutions	Specialties/Department
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THE FIFTH SCHEDULE

(see section 27)

CONTINUOUS PROFESSIONAL DEVELOPMENT OPPORTUNITY PROVIDERS
IN PAKISTAN

S.No.	CPD Opportunity Provider
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THE SIXTH SCHEDULE

(see section 28)

SPECIALIST BOARDS

S.No.	Specialist Boards	Specialties/Department]
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STATEMENT OF OBJECTS AND REASONS

It is clearly evident that memberships of the Pakistan Medical Commission (PMC) have been given mostly to non-medical professionals and obviously irrelevant people would be making policies for Medical and Dental profession. One could imagine that if law making and judicial policies making tasks are assigned to the Medical and Dental or other irrelevant professionals what would be the outcome?

There are more than 150 medical colleges and dental schools in Pakistan. The country produces more than 12,800 doctors and 2,100 dental surgeons every year. Our disease pattern is different from the USA and UK, and our cultural and social behaviour demands a different kind of attention. A majority of our population lives in unhealthy and toxic environments as the rural areas and massive city slums are without clean water or sewerage systems. Half of the population lives below the poverty line, earning less than two dollars a day. With no access to emergency medical and obstetrical care, they do not receive routine vaccination against diseases such as diphtheria, polio, typhoid or other preventable infectious diseases.

The PMC Act, 2020 is only with lines to produce doctors for overseas countries. There is no say of in matters of public sector medical and dental colleges and medical universities after enactment of PMC Act, 2020 nor have enough power to audit the conduct of CPSP and postgraduate training in universities. The PMC can be seen as a perfect example of one man. The PMC Act, 2020 is not well thought out and will not be acceptable. It is time to restore PMDC with reforms to make it a democratic, independent and powerful body that can produce professional doctors who can work for the country.

-Sd/-

DR. MAHREEN RAZZAQ BHUTTO
SYED AGHA RAFIULLAH,
Members, National Assembly