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THE ALLIED HEALTH PROFESSIONALS COUNCIL ACT, 2022

ACT NO. IX oF 2022

[28th February, 2022]

An Act to make the provisions for the establishment of the Allied Health Professionals Council

WHEREAS it is expedient to establish an Allied Health Professionals Council in Pakistan for the purposes of making a uniform standard of basic and higher qualification in various Allied Health disciplines and to consolidate the law relating to the registration of all professionals in various disciplines of Allied Health Professionals;

WHEREAS, it is necessary to regulate education, training, practice, functions and registration of Allied Health Professionals in the Pakistan for public health

It is hereby enacted as follows:—

1. Short title, extent commencement.— (1) This Act shall be called the Allied Health Professionals Council Act, 2022.

(2) It shall extend to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.— (1) In this Act, unless there is anything repugnant in the context or subject,—

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“Allied Health Professionals” or “AHP” means Person who provides diagnostic, therapeutic, Preventive, curative or rehabilitative services in health care, in a prescribed Manner and has undergone a prescribed course of training in a recognized institution and is registered as an Allied Health Professional by the body formed for the purpose, as per Sechedule-[:;

“bachelor degree” means any degree, duly recognized by the council, of at least four years duration after higher secondary school granted by a university or an institution;

“basic qualification” means certificate or diploma course for Allied Health Professionals recognized by the council;

“certificate” means any recognized qualification pursuant to at least a one year training duration granted by an institution recognized by the Council;

Council means the Allied Health Professionals Council established under section

3;

“continuous professional development” means skill enhancement and improvement of personal and professional competency which shall—

- (i) Comprise of lectures, seminars, courses, individual study or other activities undertaken by a Registered AHP; and

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(ii) reasonably be expected to advance a Registered AHP's development in his or her related profession.

"continuous professional development opportunity provider" means an institution or organization providing continuous professional development opportunities recognized by the council;

"diploma" means any recognized qualification of at least two years or greater duration granted by an institution recognized by the Council to grant such qualification under this act;

"doctorate degree" means any degree higher than an M. Phil or masters degree, recognized by the Higher Education Commission of Pakistan and which is recognized by the council as applicable towards qualifications of an AHP;

"eligible" means any person eligible for registration of recognized qualification under this act;

"Ex-officio member" means members of the Council nominated under clauses (a) and (b) of sub-section 3 of section 3 of this Act and who shall not have the right to vote or hold any elected position in the Council;

"healthcare establishment" means any premises used or intended to be used for the provision of health care services, including but not limited to a hospital, teaching hospital, rural health center, basic health units, surgical centers, blood banks, maternity homes, nursing homes, clinics, clinical laboratories, dispensaries, dental clinics, x-ray laboratories, diagnostic center, centers for nuclear medicine or radiation therapy, ambulatories, psychiatric hospitals, burn units, psychiatric nursing homes, community mental health center, hemodialysis center, dialysis center, rehabilitation center or clinic or centers and such other

health care or premises as may be declared from time to time by the Federal or Provincial Government or bylaw;

“Higher qualification” means a bachelor’s degree or higher qualification as recognized by the Council for AHP;

“institution” means an institute, college or university which is recognized under this act to grant or train basic or higher qualification for AHP;

“masters degree” means any post graduate degree granted by a university or an institution recognized by the Council;

“Member” means a member of the Allied Health Professionals Council;

“M. Phil” means any post-master degree granted by a university or an institution recognized by the Council;

“National Medical Authority” means the Authority constituted under section 15 of the Pakistan Medical Commission Act, 2020;

“Prescribed” means prescribed by rule or regulation;

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“Recognized Qualification” include:

- (i) a basic qualification for AHP recognized by the council; or
- (ii) a higher qualification for AHP recognized by the council; or
- (iii) a basic or higher qualification for AHP which was registered under any law, before the commencement of this Act, which shall be considered as a recognized qualification.

“List of disciplines” categorized as allied health professional will be as included, added or notified by the concerned administrative division or Ministry, in Schedule-I to this Act; and shall include disciplines that are formally taught by a recognized institution and are related to patient care.

(2) Any other expressions used but not defined in this Act, shall have the same meanings assigned thereto in the respective laws and rules made thereunder.

3. Establishment of the Council.— (1) There shall be a council hereinafter known as the Allied Health Professionals Council, to be constituted by the Prime Minister.

(2) The head office of the Council shall be in Islamabad and the Council shall establish offices in each Province and may in any other regions as required.

(3) The Council shall consist of the following members, namely:—

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Director General Health, of the Federal and Provincial Governments (Ex-officio member);

a Representative of the Medical Corps of the Armed Forces to be nominated by the Surgeon General;

one health professional to be nominated by each province, GB and AJK Government from the categories at Schedule-I from a public or private sector university or affiliated college/ institute in the province;

One health professional to be nominated by the Federal Government from the categories at Schedule-I from a public or private sector university or affiliated college in Islamabad Capital Territory;

three members of civil society from amongst nationally recognized philanthropists or persons of known repute, a legal professional and a chartered accountant nominated by the Prime Minister of Pakistan; and

upon the constitution of the advisory committees, the chairman of each advisory committee shall be a co-opted member of the Council subject having voting rights on issues of their discipline brought before the Council.

(4) The council shall be a body corporate, having perpetual succession and a common seal, with power to acquire and hold property both movable and immovable, and shall by said name sue and be sued.

4. Power and functions of the Council.— (1) The Council shall perform the following functions, namely:—

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regulate the standard of services for the practice of AHP;

define, in consultation with the appropriate advisory committee, the scope and standards of study, instruction and training in recognized institutions in Pakistan and ensure they are maintained;

create category-specific advisory committees of relevant professionals for categories in Schedule-I in which the basic qualifying qualification is a recognized university degree;

set practice standards of proficiency and conduct for AHP;

register AHP as practitioners;

assist health facilities regulatory bodies to monitor and inspect Allied Health Facilities;

facilitate continuing professional development of AHP practitioners;

determine and implement post registration continuing education and continuing professionals development programmes for AHP practitioners;

ensure that the education and training of AHP in Pakistan are carried out at approved educational institutions;

advise the Federal and Provincial Governments on matters relating to allied health practice;

develop standards of licensing examination for AHP practitioners;

inquire and investigate into violation of any of the provisions of this Act, and rules and regulations made thereunder;

take measure for the welfare of the employees of the council;

prepare and implement annual plans;

approve annual accounts, budget and estimates of income and expenditure; collaborate with international and national institutions, organizations and companies to secure their assistance. cooperation and support for improvement

of allied health profession; and

perform any other functions that are ancillary to the objectives of the council.

(2) All actions of the Council shall be taken in accordance with the provisions of this Act and the Council shall explicitly define the scope of practice in each category or discipline. The council will ensure that the right to prescribe drugs may not be given to any AHP and ensure that the authorization

to use any medical devices will be explicitly defined and limited to the scope of work of the category or discipline.

(3) The Council shall ensure that no AHP shall designate himself as doctor for professional purposes.

5. Restrictions on nominations.— (1) No person shall be eligible for nomination under clauses (c), (d), (e) and (g) of sub-section (3) of section 3, unless he is a registered AHP.

(2) No person shall be eligible for nomination under clauses (d) and (e) of sub-section (3) of section 3 unless he resides in the Province concerned or as the case may be, the ICT or a federal territory or region.

6. Term of office of the members.— (1) The President of the Council shall be elected by the members of the Council by majority of votes from amongst its members, in its first meeting.

(2) Subject to provisions of this section, a member, other than an ex-officio member, shall hold office for a term of four years from the date of notification of such member after nomination by the nominating authority.

(3) A member may at any time resign from his membership by presenting his resignation in writing addressed 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 of the council.

(4) A member shall be deemed to have vacated his seat,—

(a) if the member ceases to represent the particular interest for which he was nominated to represent or hold any office or appointment by virtue of which he was qualified to be nominated; and

(b) if a member is declared by the council to have been absent without sufficient cause from three consecutive meetings of the Council.

(5) The member shall continue to be a member so long as he holds the position on the basis of which he was nominated.

(6) 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 said term expires, but shall not assume office until the said term has expired.

(7) A vacancy in the membership of the Council shall be filled within ninety days for the remainder of the term or the term of such member in the same manner in which such member was nominated.

7. Meeting of the Council.— (1) The Council shall, for the purpose of transacting its business, meet at least once in every quarter at such time and place as the President of the Council may determine or on rotation basis in each Province and ICI.

(2) Special meeting may be held at such time and place as the President of the Council may determine or by submitting a written request signed by not less than two thirds of the members to the President and the President shall call the meeting within thirty days of receipt of the request.

(3) The Secretary shall arrange a special meeting if required, under subsection (2), on written notice sent to all the members by special arrangements at least seven days before the date fixed for such meeting.

(4) The quorum of the meeting shall be two-third voting members for meeting of the Council and all decisions of the Council shall be made by a majority of the members present and voting. Only members present at the time of meeting shall vote and no proxy vote shall be admissible.

8. President and Vice President.— (1) The Council shall at its first meeting, elect from amongst its members a president and vice president.

(2) The president and vice president of the Council shall hold office so long as he continues to be a member.

(3) The president and vice President shall be elected by majority vote of members present and voting in the meeting.

(4) Whenever the office of the president is vacant or the president is unable to perform the duties of his office for any reason, the vice president shall act in his place and shall perform the duties of the president.

9. Advisory Committees of the Council (1) The Council shall constitute advisory committees for each discipline mentioned in Schedule-1 or any other discipline recognized by Council.

(2) Each advisory committee shall consist of five reputable registered members in the relevant discipline including one from each Province and one from ICT to be nominated by the respective health departments in the Provinces and Division concerned to the extent of the ICT.

(3) Each advisory committee shall elect a chairman by majority vote amongst its members in its first meeting which shall be called by the president of the Council.

10. Functions of the advisory committee.— Advisory committee shall assist and recommend to the Council for the following, namely:-

(a) developing standards and procedures for examinations in their respective disciplines;

(b) developing the scope and course of study for qualifications in the said discipline;

(c) developing the standards of teaching to be maintained by institutions conducting the approved courses of study and to prescribe the qualifications of the faculty members;

(d) developing guidelines for the provision of all the facilities to the students for education and clinical training in the relevant discipline;

(e) developing standards for recognition of degrees, diplomas and certificates in the respective discipline granted by institutions in Pakistan and abroad;

(f) fixing the appropriate fees for inspection of institutions, examination, registration and renewal of license in the relevant discipline;

(g) withdrawal of recognition of an institution for violation of the provisions of this Act or rules and regulations made there under or the terms and conditions of the recognition;

(h) withdrawal or suspension of the registration of an Allied Health Professional in the relevant field for violation of provisions of this Act or rules and regulations made there-under or the terms and conditions of the registration.

(i) Inspection criteria of institutions not affiliated to a university and imparting education and conducting examination in the respective discipline;

(j) establishing the standards of practice, Code of ethics and conduct for the respective discipline;

(k) conduct licensing examinations in the prescribed manner as directed by the Council for registration and renewal of license in the respective discipline;

(l) conduct training courses and programs for continual professional development in the relevant field; and

(m) to conduct any inquiry, as directed by the Council, if so deemed necessary.

11. Officers and servants of the Council.— (1) The Council shall appoint a Secretary to the Council and a Director Education, Director Examination, Director Licensing, Director Administration & Human Resource and a Director Finance and such other officers and servants as it may deem necessary for carrying out the functions of the Council:

Provided the Federal Government may by notification direct the National Medical Authority to undertake and provide all administrative functions of the Allied Health Council including the functions of any or all the Directors except the functions of the Secretary which shall be performed by the Secretary of the Council. The costs of such administrative functions shall be reimbursed to the National Medical Authority by the Allied Health Council or the Federal Government as directed by the Federal Government.

(2) The Council shall determine the terms and conditions of service and fix the pay and allowances of its officers and servants competitive to market rates.

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

12. Recognition of institution imparting basic or higher qualification — (1) The Council on the recommendation of the relevant advisory committee, may grant recognition to any institution, which grants or trains or both in courses for basic or higher qualifications for various AHP's.

(1) Any institution, which provides courses for basic or higher qualifications for various Allied Health Professionals in the Pakistan may apply to the Council for recognition.

(2) The Council shall assess the institution and the qualifications as per prescribed procedures.

(3) The Council shall maintain a public register listing all institutions and qualifications granted recognition by it and the date of grant of such recognition.

(4) All institutions established before the commencement of this Act shall apply for recognition within one year after the commencement of this Act.

13. Recognition of foreign qualifications.— (1) Notwithstanding section 16, the Council may on the recommendation and evaluation by the relevant advisory committee, recognize any foreign basic or higher qualification granted by any foreign institution for purposes of licenses and qualification in Pakistan.

(2) The Council shall register and grant a license to any foreign licensed AHP who has acquired a license or is registered with an allied health authority in a country recognized by the Council.

14. Recognition of continuous professional development opportunity providers— (1) Any organization in Pakistan, offering opportunities of continuous professional development (CPD), to AHP's shall apply to the Council to have such facility recognized and Council on the recommendations of the relevant advisory committee may recognize such institutions and facilities as a recognized CPD provider.

(2) A separate list of international CPD providing organization or institutes recognized by the Council shall also be maintained by the Council.

15. Reciprocal recognition of qualification — (1) The Council may, for settling a scheme of bilateral reciprocity for recognition of qualifications, enter into negotiations with concerned regulatory authority in a foreign country which by the law of such country, is entrusted with the maintenance of or is authorized to maintain, a register of each category of AHP.

(2) The Council may, in pursuance of any scheme of reciprocity settled under sub-section (1) declare in respect of any basic or higher qualification granted by relevant body in such country that such body when granted such basic or higher qualification after the date specified, shall be a recognized basic or higher qualification for the purpose of this Act on reciprocal grounds.

(3) Notwithstanding that a scheme of reciprocity has not been settled under sub-section (1), the Council may, after recommendations of the relevant advisory committee, declare that a basic or higher qualification granted by an institution or authority of a foreign country shall, for such period and subject to such conditions if any, as may be specified in the notification be recognized basic or recognized higher qualification for the purpose of this Act.

16. Registration of Allied Health Professionals whose qualification may be considered recognized qualification — (1) Any relevant basic or higher qualification whatsoever attained or granted before the commencement of this Act shall be deemed to have been recognized in respect of such basic or higher qualification granted by respective institution, Provincial medical faculties or any existing boards having similar functions.

(2) On the commencement of this Act, any person possessing hands on training with experience of not less than five years in a reputable institution in a given discipline specified in the Schedule 1, may apply to the Council for recognition and such application must be made to the Council within one year of the commencement of this Act. If, after careful consideration of the quality of the experience, based on prescribed criteria by the relevant advisory committee of the Council for that discipline the Council is satisfied that a person is possessed of sufficient knowledge and skill to be registered as an AHP for the purpose of this Act, the council may permit such person to take the licensing exam for registration and licensing as an AHP:

Provided that this opportunity for registration shall only be available for applications made within the first year of the commencement of this Act.

17. Licensing and Rights of Licensees.— (1) The Council shall conduct not less than twice each year a licensing exam for each of the disciplines listed in Schedule-I. The exam shall be developed by the relevant advisory committee of the discipline.

(2) Any person having acquired a qualification recognized by the Council under this Act shall have the right to take the licensing exam.

(3) All AHP's who qualify the licensing exam shall be granted a license to practice by the Council and entered in the register of AHP's.

(4) A registered and licensed AHP shall have the following privileges, namely:—

(a) entitled to practice in their discipline subject to the prescribed code of conduct and terms of practice;

(b) entitled to hold appointment in his field in any public or private health care establishment;

(c) registered AHP having basic qualification and valid registration shall be entitled to take admission in higher qualification courses; and

(d) eligible to become a member of the Council under this Act.

18. Institutions to furnish information required by the Council.— Every institution which trains or grants or both any recognized basic or higher qualification for AHP, or applies for the recognition of any basic or higher qualification shall furnish to the Council such information as it may from time to time, require for its recognition.

19. Inspection of institution — (1) The Council shall in the prescribed manner inspect the institution which grants or trains or both for basic qualifications and institutions not affiliated with a university which grants or trains or both for higher qualifications for AHP in Pakistan for the purpose of granting recognition.

(2) The Council shall provide assistance to the universities or the Higher Education Commission to inspect institutions affiliated with a university which grants or trains or both for higher qualifications in AHP in Pakistan for purposes of ensuring the standards and scope of study prescribed by the Council are being maintained by such institutions.

(3) Every institution inspected by the Council shall have the right to defend the inspection report before the Council prior to it being approved by the Council or the advisory committee if so authorized by the Council.

20. Maintenance of the register.— The Council shall, for the purpose of registration of AHP maintain a register in which shall be entered such particulars related to the persons registered and licensed as may be prescribed under this Act.

21. Procedure for registration.— (1) Any person possessing a recognized basic or higher qualification and has either qualified the relevant licensing exam or holds a license in a foreign country recognized by the Council and who is not disqualified for registration under this Act may make an

application to the council accompanied with the prescribed fee, for registration of his name in the register and the Council shall register such person within thirty days of having applied for registration.

(2) No application under sub-section (1) shall be rejected except after giving the applicant an opportunity of being heard.

22. Removal of name from the register.— (1) The Council may, if it is satisfied that a person has, after registration, become disqualified for such registration, remove the name of such person from the register and thereupon such person shall cease to be registered or suspend their license to practice permanently or for a specified period of time:

Provided that no name shall be removed from the register or license suspended except after giving the person likely to be affected an opportunity of being heard.

(2) The council may, at any time for the reasons to be recorded in writing, restore the license and in the register the name of any person who has been removed from there under sub-section (1).

(3) The Council may exercise same power as vested in the civil court under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents;
- (c) receiving evidence on affidavits; and
- (d) issuing commission for the examination of witnesses.

23. Disqualification for registration — (1) A person shall be qualified for registration in the register, if he:

(a) has been convicted of any offense under this Act or any other offense which in the opinion of Council implies a defect of character; or

(b) has pursuant to an inquiry held by the Council in which the person was given a reasonable opportunity of being heard, been found guilty of such conduct as is considered derogatory to his profession in accordance with the rules made under this Act.

24. Prohibition of employment of and practice by un-registered AHP.— (1) No health care establishment or part of it that is maintained or run or aided by a public or private organization or authority or local or international non-Governmental organization or any other such authority shall employ therein any person as an AHP according to his category unless he is registered with the Council.

(1) No person may carry out any allied health functions or practice in any discipline defined under this act as an Allied Health discipline unless licensed and registered by the Council.

25. Penalty for offenses— (1) A person shall be punishable with imprisonment of either description for a term which may extend to three years or with a fine which may extend to one million rupees or with both, if:

- (a) one procures or attempts to procure the registration of one's name in the register or abets the procurement of such registration of any name by asking or abetting in any manner whatsoever, false or fraudulent statement, representation or declaration; or
- (b) one, not being registered in the register, represents that one is so registered, or uses with one's name any title or any word or letter representing or claimed to represent that one is so registered; or
- (c) one serves as AHP according to his category in contravention of any regulations made under this Act.

(2) A health care establishment or an institution shall be punishable with a fine of not less than two million rupees and which may extend to five million rupees and the chief executive of the establishment or institution shall be punishable with imprisonment of either description for a term which may extend to one year or with a fine of not less than one million rupees which may extend to three million rupees or with both, if;

- (a) it employs an unregistered allied health professional; or
- (b) an Allied Health Professional is working in a capacity other than the one he is registered for; or
- (c) the institution misrepresents itself to be recognized by the Council to grant or train or both an AHP qualification.

(3) If the complaint submitted by a person is determined to be false to the knowledge of the complainant, such complainant shall be punishable with imprisonment of either description for a term which may extend to three months or with a fine which may extend to one million rupees or with both.

(4) Whoever obstructs an inspection made by an inspector in exercise of any power conferred upon him by or under this Act, shall be punishable with imprisonment for a term which may extend to six months or a fine which may extend to fifty thousand Rupees or with both.

26. Appeal.— (1) An appeal against a decision of an officer of the Council may be made, by any person, licensed AHP, institution, health care establishment or an employee of the Council, to the Council within thirty days from the date of communication of the decision in the prescribed manner and shall be heard and decided by the Council within ninety days of its institution.

(2) An appeal against a decision or order of the Council may be made, by any person, licensed AHP, institution, health care establishment or an employee of the Council, to the Pakistan Medical Tribunal within thirty days from the date of communication of the decision or order in the prescribed manner and shall be heard and decided by the Tribunal within six months of its institution.

27. Cognizance by court.— Save as provided in this Act, no court other than the Pakistan Medical Tribunal may assume jurisdiction under this Act.

28. Complaints.— (1) The Council shall exclusively inquire into and adjudicate upon and decide complaints relating to registered and licensed individuals and recognized institutions and impose penalties of suspension or cancellation of registration, license or recognition and fines in the prescribed manner:

Provided all cognizable offences shall be triable exclusively by the Pakistan Medical Tribunal.

(2) Notwithstanding sub-section (1), a person may institute a claim for damages before the Pakistan Medical Tribunal arising out of negligence, malpractice, maladministration or failure in provision of authorized healthcare services by an AHP or a recognized institution subsequent to a finding by the Council on a complaint under sub-section (1).

29. Procedure of inquiry.— (1) The Council may on a complaint, information received or of its own motion on a report by its officers conduct an inquiry in to the actions of any registered and licensed AHP or recognized institution, in the prescribed manner.

(2) The inquiry report shall be provided to the AHP or institution providing them with an opportunity to raise objections and prior to its approval by the Council.

(3) The Council shall not entertain an anonymous or pseudonymous complaint against any AHP or healthcare establishment registered under this Act.

30. Directions as to apparatus, appliance, equipment or products.— Where, in the opinion of the Council the use of any apparatus, appliances, equipment, instrument, product, goods or item or carrying out of any practice or procedure in an institution is dangerous or detrimental to any person therein or otherwise unsuitable for the purpose for which it is used or carried out, the Council shall immediately declare the same to be unsuitable for use by an AHP and any recognized institution and shall provide the declaration to the relevant healthcare institutions provincial regulatory authority.

31. Action done in good faith No suit or other legal proceedings shall lie against the Council, advisory committee, officers, servants, inspectors, inspection teams or office holders of the Council for anything done in good faith or in the execution or purported execution of this Act, rules or regulations made thereunder.

32. The Fund.— (1) There shall be established a fund to be known as the Allied Health Professionals Council Fund, which shall vest in the Council and shall be utilized by the Council to meet charges and expenses in connection with the affairs of the Council.

(2) The Fund shall consist of:-

(a) initial grant by the Federal Government of rupees fifty million by way of seed money;

(b) grants and grants in aid provided by the Federal or Provincial Governments;

(c) donations from domestic and international donor agencies and other institutions;

(d) money and sums borrowed or raised by the Council for the purposes of meeting any of its obligations or discharging any of its duties;

(e) fees, penalties, fines or other charges imposed under this Act; and

(f) all other sums which may in any manner become payable to or vested in the Council in respect of any matter incidental to the exercise of its functions and powers.

33. Bank accounts.—The Council may open and maintain accounts in rupees or in any foreign currency, at such scheduled banks as it may from time to time determine in accordance with the relevant law for the time being in force.

34. Annual report, accounts and audit—(1) Within ninety days from the end of each financial year, the Council shall cause a report to be prepared on the activities of the Council including inquiries made by the Council during that financial year and submit to the Federal Government and make it available to the public.

(2) The Council shall cause the statement of accounts to be audited by third party auditors, appointed by the Council, who shall be a firm of registered chartered accountants.

(3) The accounts of the Council shall be maintained and audited in the prescribed manner and be audited by the Auditor General of Pakistan in respect of public grants and funds provided to the Council.

35. Investments.—(1) Subject to sub-section (2), the Council may, insofar as its moneys are not required to be expended under this Act, invest the surplus moneys in such manner as may be prescribed.

(2) The Council shall not invest its money in listed securities or any derivative thereof whether listed or not.

36. Consultants, advisors, etc.—To carry out the purposes of this Act, the Council may, from time to time, engage such experts, consultants, consultancy firms, advisers and other officers and staff members on such terms and conditions as it may prescribe.

37. Executive authorities to assist the Council—All executive authorities and law enforcement agencies of the Federal Government shall act in aid of the Council.

38. Power to make rules —(1) The Federal Government may, by notification in the official Gazette, make rules for giving effect to the provisions of this Act.

(2) The power to make rules conferred by this section shall be subject to the condition of previous publication and, before making any rule, the draft thereof shall be published in the official Gazette for eliciting public opinion thereon within a period of not less than fifteen days from the date of publication.

39. Regulations —(1) The Council may make regulations for giving effect to the provisions of this Act and shall make regulations for the following purposes, namely:—

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

(b) summoning and holding of meetings of the Council and places where such meetings are to be held, the conduct of business thereof;

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the powers and duties of the advisory committees;

the mode of appointment of the members of the advisory committees, the summoning and holding of meetings thereof for conduct of business of such committees;

the appointment, powers, duties and procedure of subcommittees and inspection teams;

the procedure for maintenance, compilation and publication of the register, grant of licenses, list of institutes registered under the council and their minimum requirement and the fees to be charged for registration and licensing;

the procedure for any adjudication, Inquiry and investigation under section 28 and 29;

prescribing a minimum standard of grant, renewal, suspension or cancellation of registration of an institution;

prescribing a code of conduct including minimum standard of patient and health staff safety for AHP's; and

prescribing a minimum standard of quality assurance by an AHP and an institution and a healthcare establishment.

40. Removal of difficulties — If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order not inconsistent with the provisions of this Act as may appear to it to be necessary for the purpose of removing such difficulty.

41. Overriding effect — Notwithstanding anything to the contrary contained in any other law, the provisions of this Act shall have an overriding effect and the provisions of any such law to the extent of inconsistency to this Act shall cease to have effect.

SCHEDULE-I

(see sections 2(a), 10, 17 and 25)

List of disciplines categorized as allied health professionals

1. Anesthesia Technology
2. Blood Banking Technology
3. Medical Laboratory Technology
 - a. Histopathology
 - b. Cytopathology
- Cc. Haematology
- d. Clinical chemistry and biochemistry
- e. Medical microbiology
- f. Medical Virology
- g. Medical molecular biology
4. Surgical Technology, including operating room Technology
5. Cardiac care Technology including cardiac surgery, perfusion technology etc.
6. Dental Technology
7. Renal and Dialysis Technology
8. Aesthetics and skin care Technology
9. Endoscopy Technology
10. Audiology and Speech Technology
- II. Medical Informatics
12. Optometry and Refraction Technology
13. Physiotherapy, including Orthotics and Prosthetics, rehabilitation
14. Occupational and speech Therapy
15. Public Health Technology
16. Radiography & Imaging Technology

20.

21.

22.

23.

24.

25.

Radiotherapy Technology

Respiratory Therapy including pulmonary function testing

Nuclear Medicine Technology

EKG Technology

EEG Technology;

Nutrition

Podiatric medicine

Psychology and counseling

Sports therapy

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