

The University Charter

Aga Khan University Order 1983

President's Order no. 3

Whereas His Highness Prince Karim Aga Khan and the Aga Khan Foundation have established in Pakistan a Health Science Complex whose programmes will promote human welfare in general and the welfare of the people of Pakistan in particular and have expressed the desire to establish an autonomous University in Pakistan for the promotion and dissemination of knowledge and technology and for providing instruction, training, research, demonstration and service in the health sciences and such other branches of learning as the University may determine;

Now, therefore, in pursuance of the proclamation of the fifth day of July, 1977, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following order:

1. Short title and commencement,

1. This Order may be called Aga Khan University Order, 1983.
2. It shall come into force at once.

2. Definitions, in this order, unless there is anything repugnant in the subject or context,

- a. "Board" means the Board of Trustees of the University referred to in Article 11;
- b. "Chancellor" means the Chancellor of the University referred to in Article 8;
- c. "Pro-Chancellor" means the Pro-Chancellor of the University appointed under Article 9;
- d. "Rector" means the Rector of the University appointed under Article 10;
- e. "University" means Aga Khan University established under this Order.

3. Establishment and incorporation of the University.

1. There shall be established a University to be called the Aga Khan University and consisting of:
 - a. the Patron, the Chancellor, the Pro-Chancellor, the Rector, the members of the Board;
 - b. the members of such councils, committees and other advisory bodies as the Board may establish or authorise from time to time;
 - c. the members of the faculties, and students of the colleges, schools, institutes and other units; and
 - d. such other officers and members of the staff as may be specified by the Board from time to time.

2. The University shall be a body corporate by the name of the Aga Khan University, having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property and shall by the said name sue and be sued.

4. The purpose, powers and functions of the University.

1. The purposes of the University shall be the promotion and dissemination of knowledge and technology and to provide for instruction, training, research, demonstration and service in the health sciences and such other branches of learning as the University may determine.
2. The University shall be a fully autonomous body with freedom to govern its academic functions in order to achieve its objectives, in particular, freedom to:
 - a. select and examine students;
 - b. award degrees, diplomas, certificates and other academic distinctions;
 - c. select and promote faculties;
 - d. determine courses of study in health sciences and such other branches of learning as the University may determine;
 - e. pursue research;
 - f. establish and support hospitals, clinics, and other sites and facilities for education training and research;
 - g. affiliate itself or associate with other institutions, and establish faculties, in Pakistan or abroad for better discharge of its functions and responsibilities;
 - h. decide teaching methods and strategies in order to ensure the most effective educational and other programmes; and
 - i. use the financial and other resources allocated to it for the execution of its functions.
3. The principal teaching facilities of the health sciences faculties of the University shall consist of the Aga Khan Hospital at Karachi, but the University shall have the right to use the other institutions and programmes under the Aga Khan Health Services in Pakistan and the facilities of any other institution on terms to be settled by it with the Aga Khan Health Services or such institution.
4. The University may enter into agreements, contracts and arrangements with governments, organizations, institutions, bodies and individuals for the purpose of carrying out its functions and activities.
5. The University may do all such other acts and things as may be requisite in order to further the objects of the University.

6. The University may, with the approval of the Chancellor, provide facilities to the representatives of the University Grants Commission and the Pakistan Medical and Dental Council for visitation to enable them to verify that appropriate academic standards are being maintained by the University.

5. University open to all classes, creeds, etc.

The University shall be open to all persons of either sex of whatever religion, race, creed, colour or domicile who are academically qualified for admission to the courses of study offered by the University and no such person shall be denied the privileges of the University on the ground only of sex, religion, creed, race, class, colour or domicile.

6. The Patron. The President of Pakistan shall be the Patron of the University.

7. Officers of the University. The following shall be the officers of the University namely:

- a. The Chancellor
- b. The Pro-Chancellor; and
- c. The Rector.

8. The Chancellor.

1. His Highness Prince Karim Aga Khan shall be the first Chancellor of the University and shall be succeeded by the Chairman of the Aga Khan Foundation for the time being.
2. The Chancellor shall, when present, preside at convocations of the University and meetings at which business of the University is transacted.
3. Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor.

9. The Pro-Chancellor.

1. The Pro-Chancellor shall be appointed by the Chancellor for such period and on such terms and conditions as the Chancellor may determine.
2. At any time when the office of Chancellor is vacant, or the Chancellor is absent or is unable to perform the functions of his office due to any cause, the Pro-Chancellor shall act for him.
3. The Pro-Chancellor shall perform such other functions as may be entrusted to him by the Chancellor.

10. The Rector.

1. The Rector shall be appointed by the Chancellor for such period and on such terms and conditions as the Chancellor may determine.

2. The Rector shall be the chief academic and administrative officer of the University and shall have overall responsibility for the direction, organisation, administration and programmes of the University in accordance with the guidelines and general policies formulated by the Board and for the implementation of the decisions and policies of the Board; in particular, he shall:
 - a. submit the plans of work and budget estimates of the University for the approval of the Board;
 - b. direct the activities connected with the execution of programmes for instruction, training, research, demonstration and service and authorise expenditure provided for in the budget as approved by the Board;
 - c. appoint, with the approval of the Board where necessary, teachers, officers and members of the staff of the University and such other persons as may be necessary in accordance with policies and procedures approved by the Board so as to ensure the highest intellectual and moral qualities in the person appointed;
 - d. submit to the Board in accordance with the rules of procedure framed by it, reports on the activities of the University and the execution of the plans of work;
 - e. prepare and revise from time to time rules and regulations for the efficient and effective operation of the University, and
 - f. provide the necessary services to the Board.

11. The Board of Trustees.

1. The general supervision and control of the affairs of the University, and the power to lay down the policies of the University, shall vest in a Board of Trustees consisting of:
 - a. The Chairman, to be nominated by the Chancellor;
 - b. Four nominees of Aga Khan Foundation to be nominated by the Board of the Foundation;
 - c. A Judge of the High Court of Sind, to be nominated by the Chief Justice of the Court;
 - d. A member of the University Grants Commission, to be nominated by the Commission;
 - e. A member of the Pakistan Medical and Dental Council not being below the rank of professor, to be nominated by the Council;
 - f. A member to be nominated by the Chancellor;
 - g. The Rector; and

h. Not more than three persons prominent because of their experience and attainments, to be selected by the members referred to in paragraphs (a) to (g) and approved by the Chancellor.

2. The members of the Board, other than the Rector, shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term:

Provided that, in the case of the first Board constituted under this Order, one-third of the members for the time being, other than the Rector, to be determined by lot, shall retire from office on the expiration of one year from such constitution, one-half of the remaining members, to be determined by lot, shall retire from office on the expiration of two years from such constitution and the remaining one-half shall retire from office on the expiration of the third year.

3. The office of a member of the Board shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence, or if his nomination is changed by the person nominating him.
4. A casual vacancy in the office of a member of the Board shall be filled by a person nominated by the person or body who had nominated the member whose vacancy is to be filled.
5. Without prejudice to the generality of the provisions of clause (1) the Board shall exercise and perform the powers and functions hereinafter specified, namely:
- a. to hold, control and administer the property, funds and resources of the University and to borrow or raise money for the purposes of the University upon such security as may be required;
 - b. to formulate or approve the principles, policies and the plans governing the activities and operations of the University so as to ensure that the academic staff enjoy academic freedom in their research and educational work;
 - c. to prepare or have prepared and revised from time to time rules and regulations for the efficient and effective operation of the University;
 - d. to review and approve the creation of any standing component of the University, such as faculties, colleges, programmes, institutes, standing committees and councils and other administrative bodies necessary to assist or improve the working of the University;
 - e. to approve the plans of work and annual budget of the University submitted by the Rector;
 - f. to require of, and consider reports submitted by the Rector, relating to the activities of the University and the execution of the plans of work and to direct the Rector to submit reports relating to any matters specified by the Board;

- g. to create such academic or administrative posts as it may consider necessary for the purposes of the University and to approve appointments to such of these posts as it may specify, including the posts of deans, directors, professors and associate professors;
 - h. to undertake responsibility for the financial integrity of the University, including responsibility for ensuring effectiveness of its future operations, their continuity and preservation of the autonomy of the University;
 - i. to approve all affiliations and other similar arrangements through which institutions or individuals may become associated with the University;
 - j. to appoint from amongst its members such as committees or sub-committees as may in the opinion of the Board lead to its more efficient and effective operation; and
 - k. to take all such initiatives as it may consider necessary or desirable for the efficient and effective management and functioning of the University.
6. The Board shall lay down its own rules of procedure and may amend or modify them from time to time.
7. The Board shall not start functioning until the Chairman and the members to be nominated by the Chancellor have been nominated; and no act or proceeding of the Board shall be invalid by reason only of the existence of a vacancy in, or defect in the constitution of, the Board.

12. Meetings of the Board, etc.

1. The Board shall meet at least twice during a year for regular or scheduled meetings and may meet at any other time at which a special meeting thereof may be called by the Chairman or requisitioned in writing by not less than four members of the Board.
2. Not less than ten clear days' notice of a special meeting shall be given to the members of the Board and the agenda of the meeting shall be restricted to the matters specified in the agenda to be annexed to such notice.
3. The quorum for a meeting of the Board shall be one-half of its members, a fraction being counted as one.
4. The decisions of the Board shall be expressed in terms of the views of the majority of the members present and voting and, if the members are equally divided, the Chairman shall have and exercise a second or casting vote.

13. Academic and administrative staff.

1. The academic and administrative staff of the University shall be selected with a view to achieving its stated objectives and the basic criteria for their selection shall be the highest standards of competence, integrity, and efficiency.

2. The academic staff of the University shall enjoy freedom of expression in their research and educational work to achieve the objectives of the University specified in clause (2) of Article 4.

14. University Fund, audit and accounts.

1. The University shall have a fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, grants, contributions and any other sources and which shall be under the control of the Board.
2. Capital and recurrent expenditure of the University shall be met from out of the contribution made by the Aga Khan University Foundation and any other sources, including other foundations, universities and individuals, and from the income derived therefrom.
3. No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability for the University, or which may involve an activity not included in its programmes for the time being, shall be accepted without the prior approval of the Board.
4. The accounts of the University shall be maintained in such form and manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by a Chartered Accountant appointed by the Board.
5. The accounts, together with the report of the auditor thereon, shall be submitted to the Board for approval.
6. The auditor's report shall certify that the auditor has complied with the standards of audit and certification laid down by the Institute of Chartered Accountants of Pakistan.

15. Indemnity and bar of Jurisdiction.

1. No suit, prosecution or other legal proceeding shall lie against any person or authority for anything which is in good faith done or intended to be done under this Order.
2. No decision taken, or act or thing done, by the Chancellor or the Board shall be called in question before any court or other authority.

16. Order to override other laws. This Order shall have effect notwithstanding anything contained in any other law for the time being in force.

17. Removal of difficulties.

1. If any question arises as to the interpretation of any of the provisions of this Order, it shall be placed before the Chancellor whose decision thereon shall be final.
2. If any difficulty arises in giving effect to any of the provisions of this Order, the Chancellor may make such order, not inconsistent with the provisions of this Order, as may appear to him to be necessary for removing the difficulty.

3. Where this Order makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority of whom, or the time at which, or the manner in which, it shall be done, then, it shall be done by such authority, at such time, or in such manner as the Chancellor may direct.

General
M. Zia-ul-Haq,

President
16 March 1983