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PART-IVA

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 30TH JUNE, 2014.

NO.PAS/Legis-B-16/2014-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

THE SINDH EYE SURGERY (RESTRICTION) BILL, 2014.

SINDH BILL NO. 16 OF 2014.

A
BILL

to prevent the surgery of eye by the persons other than registered medical practioners.

WHEREAS it is expedient to prevent the surgery of eye by the persons other than registered medical practioners;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Eye Surgery (Restriction) Act, 2014.

Short title,
Extent and
commencement.

(2) It shall extend to the whole of Province of Sindh.

(3) It shall come into force at once.

Definitions.

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

- (a) "complete blindness" means absence of sight through total loss of perception of light in both eyes;
- (b) "eye surgery" means any surgical operation performed on or in relation to the eye by means of any instrument of whatever kind;
- (c) "partial blindness" means total loss of perception of light in one eye or sub-total loss of perception of light in both eyes resulting in restriction of visual field and acuity; and
- (d) "registered medical practitioner" means a person who is, for the time being, registered under any law relating to the registration of medical practitioners in Pakistan.

Punishment for performing eye surgery in certain cases.

3. (1) Any person, not being a registered medical practitioner, who performs eye surgery upon another, whether with or without the latter's consent, shall be punishable with imprisonment for a term which may extend to one year and with fine which may extend to five hundred thousand rupees.

(2) The term of imprisonment under sub-section(1) may extend to -

- (i) three years, if the offence results in partial blindness; and
- (ii) seven years, if the offence results in complete blindness.

4. Any person not being a registered medical practitioner, who practices, or holds himself out, whether directly or by implication, as practicing, or being prepared to practice, eye surgery, shall be punishable with imprisonment for a term which may extend to six months and with fine which may extend to fifty thousand rupees.

**Punish
unlawful practice
or holding out.**

5. An offence punishable under sub-section (1) of section 3, or section 4, shall be a cognizable offence for the purposes of the Code of Criminal Procedure, 1898 (Act V of 1898), notwithstanding anything to the contrary contained therein.

**Offence to be
cognizable.**

6. No Court other than the Court of Magistrate of the First Class shall try an offence punishable under this Act.

Trial of offences.

7. Government, may make rules to carry out the purposes of this Act.

**Power to make
rules.**

STATEMENT OF OBJECTS AND REASONS

In view of the 18th Amendment in the Constitution of the Islamic Republic of Pakistan, 1973, the subject "Health" has been devolved to the Provinces. In order to restrict the performance of eye surgery by unregistered medical practitioners with or without the patient's consent, it is expedient to enact a law at Provincial Level.

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

**G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**