

PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 13 of 2014

THE PUNJAB MENTAL HEALTH (AMENDMENT) ACT 2014

A

Bill

to amend the Mental Health Ordinance, 2001.

Preamble.— Whereas it is expedient to amend the Mental Health Ordinance, 2001 (VIII of 2001) for purposes hereinafter appearing;

It is enacted as follows:-

1. Short title and commencement.— (1) This Act may be cited as the Punjab Mental Health (Amendment) Act 2014.

(2) It shall come into force at once.

2. Amendment in Ordinance VIII of 2001.— In the Mental Health Ordinance, 2001 (VIII of 2001), hereinafter referred to as the said Ordinance—

(a) for the words “Federal Government”, wherever occur, the word “Government” shall be substituted; and

(b) for the words “Federal Mental Health Authority”, wherever occur, the words “Punjab Mental Health Authority” shall be substituted.

3. Amendment in section 1 of Ordinance VIII of 2001.— In the said Ordinance, in section 1, in subsection (2), for the word “Pakistan”, the words “the Punjab”, shall be substituted.

4. Amendment in section 2 of Ordinance VIII of 2001.— In the said Ordinance, in section 2, in subsection 1, for clause (f), the following shall be substituted:-

“(f) “Government” means Government of the Punjab;”

5. Amendment in section 3 of Ordinance VIII of 2001.— In the said Ordinance, in section 3—

(a) for subsection (2), the following shall be substituted:-

“(2) The Authority shall consist of a Chairperson and not more than ten members to be appointed by the Government.”;

(b) for subsection (3) the following shall be substituted:-

“(3) The members of the Authority shall be as follows:-

(i) Secretary to the Government, Health Department;

(ii) Chief Consultant Psychiatrist, Punjab Institute of Medical Health, Lahore; and

(iii) five eminent psychiatrists of at least ten years standing.”; and

(c) in subsection (5), for the words “Secretary, Ministry of Health, Government of Pakistan”, the word “Government” shall be substituted.

6. Amendment in section 6 of Ordinance VIII of 2001.— In the said Ordinance, in section 6, for subsection (1), the following shall be substituted:-

“(1) The Government may establish or maintain psychiatric facilities for the assessment, admission, treatment, rehabilitation, care and after care of mentally disordered patients at such places, as it deems fit.”

7. Amendment in section 28 of Ordinance VIII of 2001.— In the said Ordinance, in section 28—

(a) in subsection (2), for the words, “Provincial Government concerned”, the words “the Government” shall be substituted; and

(b) in subsections (3) and (4), the word, “Provincial”, wherever occurs, shall be omitted.

8. Amendment in section 29 of Ordinance VIII of 2001.– In the said Ordinance, in section 29, for the words, “Advocate General of the Province concerned”, the words “Advocate General Punjab” shall be substituted.

9. Amendment in section 58 of Ordinance VIII of 2001.– In the said Ordinance, in section 58–

(a) for the word, “President”, the word “Government” shall be substituted; and

(b) for the word “him”, the word “it” shall be substituted.

10. Amendment in section 59 of Ordinance VIII of 2001.– In the said Ordinance, in section 59, for subsection (1), the following shall be substituted:

“(1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.”

STATEMENT OF OBJECT AND REASONS

The subject on which this law has been enacted has devolved on the Provinces by virtue of the Constitution (Eighteenth Amendment) Act 2010. The Act is required to be adapted by the Provincial Assembly of the Punjab in terms of clause (6) of Article 270AA of the constitution. Hence this Bill.

MINISTER INCHARGE

12 MARCH 2014

**RAI MUMTAZ HUSSAIN BABAR
SENIOR SECRETARY**