

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

29 May 2014

No.PAP/Legis-2(33)/2014/1085. The Punjab Mental Health (Amendment) Bill 2014, having been passed by the Provincial Assembly of the Punjab on 21 May 2014, and assented to by the Governor of the Punjab on 27 May 2014, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB MENTAL HEALTH (AMENDMENT) ACT 2014

ACT XI OF 2014

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated 29 May 2014.]

An Act

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, except in subsection (1) of section 28, 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 Mental Health, Lahore; and
 - (iii) three eminent psychiatrists and two eminent psychologists 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 4 of Ordinance VIII of 2001.– In the said Ordinance, in section 4–

- (a) in subsection (1), the word “concerned” shall be omitted;
- (b) in subsection (2)–
 - (i) in the rider clause, the words “at the provincial level” shall be omitted; and
 - (ii) in clause (e), the words “of the Province” shall be omitted.

7. 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.”

8. Amendment in section 27 of Ordinance VIII of 2001.– In the said Ordinance, in section 27–

- (a) for the words “the same Province or some other Province”, the words “any other Province or territory of Pakistan” shall be substituted; and
- (b) for the words “Provincial Government with the consent of the other Provincial Government”, the words, “Government with the consent of the Government of that Province or territory” shall be substituted.

9. Amendment in section 28 of Ordinance VIII of 2001.– In the said Ordinance, in section 28–

- (a) in subsection (1), for the words, “Provincial Government concerned within which such order may be made”, the words “Government for such placement of the patient” shall be substituted;
- (b) in subsection (2), for the words, “Provincial Government concerned”, the word “Government” shall be substituted; and
- (c) in subsections (3) and (4), the word “Provincial”, wherever occurs, shall be omitted.

10. 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.

11. Amendment in section 43 of Ordinance VIII of 2001.— In the said Ordinance, in section 43—

- (a) in subsection (1), for the words “government concerned”, the words “the Government” shall be substituted; and
- (b) in subsection (3), for the words “Government concerned”, the words “the Government” shall be substituted.

12. 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.

13. 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.”

Rai Mumtaz Hussain Babar
Secretary