

The Gazette  of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, SUNDAY, OCTOBER 31, 1982

PART I

Acts, Ordinances, President's Orders and Regulations including Martial Law
Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS
(Law Division)

Islamabad, the 31st October, 1982

No. F. 17 (1)/82-Pub.—The following Ordinance made by the President is hereby published for general information :—

ORDINANCE No. XXVI OF 1982

AN

ORDINANCE

to repeal and, with certain modifications, re-enact the Medical Degrees Act, 1916

WHEREAS it is expedient to repeal and, with certain modifications, re-enact the Medical Degrees Act, 1916 (VII of 1916) ;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action ;

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 and promulgate the following Ordinance :

1. Short title, extent and commencement.—(1) This Ordinance may be called the Medical and Dental Degrees Ordinance, 1982'

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.—In this Ordinance, " scientific Medical and Dental System " means the scientific methods of Allopathic Medicine, Obstetrics, Surgery and Dentistry, but does not include the Homoeopathic, Ayurvedic or Unani System of Medicine.

3. Right to confer degrees, etc.—The right of conferring, granting or issuing in Pakistan degrees, diplomas, licences, certificates, or other documents stating or implying that the holder, grantee or recipient thereof is qualified to practise scientific Medical and Dental System shall be exercisable only by the authorities specified in the Schedule and by such other authority as the Federal Government or a Provincial Government may, by notifications in the official Gazette, and subject to such conditions as it thinks fit to impose, authorise in this behalf.

4. Prohibition of unauthorised conferment of degrees, etc.—Save as provided by section 3, no person in Pakistan shall confer, grant or issue any degree, diploma, licence, certificate or other document stating or implying that the holder, grantee or recipient is qualified to practise scientific Medical and Dental System.

5. Contravention of section 4—Whoever contravenes the provisions of section 4 shall be punishable with rigorous imprisonment for a term which shall not be less than one year or more than five years and shall also be liable to fine which may extend to fifty thousand rupees; and, if the person so contravening is an association, every member of such association who knowingly and wilfully authorises or permits the contravention shall be punishable with rigorous imprisonment for a term which shall not be less than one year or more than five years and shall also be liable to fine which may extend to twenty-five thousand rupees.

6. Penalty for falsely assuming or using Medical and Dental titles.—Whoever voluntarily and falsely assumes or uses any title or description or any addition to his name implying that he holds a degree diploma, licence or certificate conferred, granted or issued by any authority referred to in section 3 or recognised by the Medical and Dental Council of Pakistan or uses any words to give a false impression that he was qualified to practise scientific Medical and Dental System shall be punishable with rigorous imprisonment for a term which shall not be less than one year or more than five years and shall also be liable to fine which may extend to fifty thousand rupees:

Provided that nothing in this section shall apply to the use by any person of any title, description or addition which he uses by virtue of any degree, diploma, licence or certificate conferred upon him or granted or issued to him in any subject other than medicine.

7. Cognizance of offences.—No Court shall take cognizance of an offence punishable under this Ordinance except upon a complaint made by the Secretary of the Medical and Dental Council or any person authorised by the Secretary and notified in the official Gazette.

8. Jurisdiction of Magistrate.—No Court inferior to that of a Magistrate of the first class shall try an offence punishable under this Ordinance.

9. Offences to be bailable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), all offences punishable under this Ordinance shall be bailable.

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10. Repeal.—The Medical Degrees Act, 1916 (VII of 1916), is hereby repealed.

SCHEDULE

(See Section 3)

- I. Every University in Pakistan established by an Act of the Federal or Provincial Legislature.
- II. College of Physicians and Surgeons of Pakistan.

GENERAL,
M. ZIA-UL-HAQ,
President.

C. A. RAHMAN,
Secretary.