

SINDH ORDINANCE NO.XII OF 2013
THE SINDH EYE SURGERY (RESTRICTION) ORDINANCE, 2013

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[31st May, 2013]

An Ordinances 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.**

AND WHEREAS the Provincial Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Sindh Eye Surgery (Restriction) Ordinance, 2013. **Short title, extent and commencement.**

(2) It extends to the whole of Province of Sindh.

(3) It shall come into force at once.

2. In this Ordinance, unless there is anything repugnant in the subject or context - **Definitions.**

(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 practioners in Pakistan.

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. **Punishment for performing eye surgery in certain cases.**

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(2) The terms 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 a 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.

Punishment for 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 a Magistrate of the First Class shall try an offence punishable under this Ordinance.

Trial of offences.

7. Government may make rules for carrying out the purposes of this Ordinance.

Power to make rules.