

The Medical and Dental Degrees Ordinance, 1982

[XXVI of 1982]

[31st October, 1982]

An Ordinance to repeal and with certain modifications re-enact the Medical Degree Act 1916

Preamble: 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 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 method 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 suing in Pakistan degrees, diplomas, licences, certificates, or other documents stating or implying that the holder, grantee or recipient thereof is qualified to practice Scientific Medical and Dental System shall be exercised only by 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 practice Scientific Medical and Dental System

5. Contravention of Section 4.- Whoever contravenes the provision 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 or falsely assume or uses any degree, diploma licence or certificate conferred, granted or by any authority referred to in Section 3 or recognised by the Medical and Dental Council of Pakistan or uses any word to give a false impression that he was qualified to practice 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 be liable to fine which may extend to fifty thousand rupees: Provided that nothing in the 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, issued to him in any subject other than medicine.

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

8. Jurisdiction of Magistrate.- No Court inferior to that of 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.

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 Repeal.- The Medical Degrees Act, 1916 (VII of 1916), hereby repealed.

SCHEDULE

(See Section 3)

I. Every University in Pakistan established by an Act of the Federal, Provincial Legislature.

II. College of Physicians and Surgeons of Pakistan.