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ISLAMABAD TRANSFUSION OF SAFE BLOOD ORDINANCE, 2002

ORDINANCE No. LXXIII OF 2002

[15-10-2002]

to regulate transfusion of safe blood and blood products in the Islamabad Capital Territory

WHEREAS it is expedient to regulate transfusion of safe and healthy blood and blood products free from viruses and infective agents in the Islamabad Capital Territory and to provide for matters connected therewith and incidental thereto;

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 Emergency of the Fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement:—(1) This Act may be called the Islamabad Transfusion of Safe Blood Ordinance, 2002.

(2) It extends to the whole of the Islamabad Capital Territory.

(3) It shall come into force at once.

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

(a) "Authority" means the Islamabad Blood Transfusion Authority established under section 5;

(b) "blood bank" includes private, Government or Armed Forces blood banks maintained for the purpose of receiving, preserving, storing, analyzing and processing blood and blood products;

(c) "incharge" means the owner of a blood bank and in case of company or other body corporate; its chief executive or a person declared as such at the time of registration;

(d) "prescribed" means prescribed by the rules made under this Ordinance;

(e) "safe blood" means human blood which is healthy and free from human immunodeficiency (HIV), Hepatitis B and C viruses or infective agent like malarial parasites and Treponema pallidum (syphilis) or such other viruses or infective agents as the Federal Government may, by notification in the official Gazette, specify; and

(f) "Schedule" means the schedule to this Ordinance.

3. Transfusion of safe blood:—Every physician, surgeon, medical practitioner or any other person transfusing blood or blood products to any patient shall, before such transfusion, ensure that

the blood or, as the case may be, blood products, is healthy and has been certified by the blood bank, as screened for any virus or infection specified in clause (e) of section 2.

4. Registration of blood banks:—No blood bank shall receive or supply blood unless it is registered with the Authority and a license is issued to it by the Authority in the manner and subject to payment of such fee as may be prescribed.

5. Establishment of Islamabad Blood Transfusion Authority:—As soon as may be, after the commencement of this Ordinance, the Federal Government may, by notification in the official Gazette, establish an Authority to be known as the Islamabad Blood Transfusion Authority and consisting of such technical experts in hematology, transfusion medicine, representative of the Armed Forces and from private sector and other stakeholders, possessing such qualification and experience as may be prescribed, by the Federal Government.

6. Functions of the Authority:—(1) The functions of the Authority shall be to—

(a) implement the approved national policy;  
(b) register and issue the licences to blood banks;

(c) allow renewal of licence issued to blood banks annually on payment of such fee after satisfying that instructions issued by it for safe blood transfusion were being followed by the blood banks;

(d) prescribe registration and licence fees;  
(e) ensure implementation of the national safety standards;  
(f) fix service charges of the blood and blood products;

(g) ensure that bio-safety, measures specified in the Schedule are strictly adhered to by the blood banks;

(h) ensure that the blood banks are managed and run by qualified professionals having post-graduate qualifications in blood transfusion or haematology recognized by the Pakistan Medical and Dental Council established under the Medical and Dental Council Ordinance, 1962 (XXXII of 1962); and

(i) monitor the working of the blood banks and carry out periodical inspections, where necessary.

(2) For furthering the functions of the Authority, the Federal Government, as and when it considers necessary, issue directives to the Authority on matters of Policy, and such directives shall be binding on the Authority. If a question arises whether any matter is a matter of Policy or not, the decision of the Federal Government shall be final.

7. Appointment of officers and staff:—(1) To carry out the purposes of this Ordinance the Authority may, from time to time, employ such officers and servants, or appoint such experts or consultants, as it may consider necessary for the performance of its functions, on such terms and conditions as it may deem fit.

(2) Within the finances available to it, the Authority shall prepare a permanent Schedule of establishment showing the officers and servants of various categories and submit to the Federal Government which may sanction and approve the same with or without amendment.

8. Funds of Authority:—(1) A non-lapsable fund vesting in the Authority known as the “Islamabad Blood Transfusion Authority Fund”, to be utilized by the Authority to meet operational charges in connection with its functions under this Ordinance including the payment of salaries and other remuneration and allowances to the persons engaged and employed for the performances of duties and service of the Authority.

(2) The Islamabad Blood Transfusion Authority Fund shall be kept in a scheduled bank and shall be operated according to rules and regulations of the Federal Government.

(3) To the credit of the Islamabad Blood Transfusion Authority Fund shall be placed all funds received by the Authority and the Fund shall consist of,—

(a)

(b)

(c)

(d)

(e)

(f)

(g)

grants made by the Federal Government including an initial grant of two million rupees;

income from users fees, licence fees and income from supply of blood; funds provided by the Federal Government;

foreign aids, grants and loans negotiated and raised by the Authority with the prior approval of the Federal Government;

all other sums received by the Authority, such as fees, damages, costs, refunds, forfeitures, sales proceeds, lease money, rentals and fines, renewal and fees;

income from the sale of assets or vehicles; and

royalty and income from sale proceeds of published research work; contributions and donations.

9. Accounts of Authority:—(1) The Authority shall maintain complete and accurate books of accounts of its actual expenses and receipts in such manner as the Federal Government may, in consultation of the Controller-General of Accounts, determine.

(2) The accounts of the authority shall be audited annually by the Auditor-General of Pakistan.

10. Responsibilities of blood banks:—Every blood bank shall—

(a)

(b)

(©)

(d)

have a separate department, staff and equipment for the purpose of blood donations and for selection, handling, care and safety of the donors;

select donors of blood in accordance with the instructions issued by the Authority;

cause the donated blood and blood products to be screened, examined and tested in accordance with the instructions issued by the Federal Government for detection of any communicable disease;

possess equipment required for hemoglobin estimation, blood grouping, cross- matching, anti-bodies detection and screening of infectious agents, such as human immunodeficiency, hepatitis viruses, malaria and syphilis;

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- (e) equip itself with proper refrigeration of blood and blood products and make arrangements for uninterrupted power supply for refrigeration;
- (f) observe standard operating procedures approved by the Authority and specified in the Schedule;
- (g) not accept blood from professional blood donors; and
- (h) submit periodical reports in respect of donations of the blood received by it with break up of blood groups, detection of anti-bodies and screening of infectious agents.

11. Penalty for contravention:—(1) Any person contravening any provision of this Ordinance shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to hundred thousand rupees, or with both.

(2) For purpose of this section, the in charge of a blood bank shall personally be held responsible for any contravention taking place in the blood bank.

12. Cognizance of the contravention:—(1) No Court shall take cognizance of any contravention under this Ordinance except on a complaint in writing made by the Chairman of the Authority or a person authorized by him in this behalf.

(2) Notwithstanding anything in the Code of Criminal Procedure, 1898 (Act V of 1898),—

(a) no Court other than a Magistrate of the First Class shall try an offence under this Ordinance; and

(b) it shall be lawful for any Magistrate of the First Class to pass any sentence authorized by this Ordinance.

13. Power to make rules:—(1) The Authority may, with the prior approval of the Federal Government any by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) Without prejudice to the foregoing powers, such rules may provide for—

(a) procedure for registration, licensing, renewal of registration of blood banks and fees to be paid for registration, renewal of registration and monitoring of blood Banks;

(b) quality assurance in maintenance of an effective anti-HIV, hepatitis-B, hepatitis-C, Malaria, Syphilis and other viruses and infective agents screening;

(c) standard operating procedures for evolving quality system of blood and blood products;

(d) safety measures to be adopted in blood banks and laboratories; and

(e) screening and examination of blood and blood products for detection of infectious agents.

ql)

(2)

(3)

(4)

(5)

(6)

(7)

(8)

(9)

(10)

(1)

## THE SCHEDULE

[See section 6(g)]

### BIO SAFETY MEASURES

Hands to be washed before and after each procedure, between each patient, before and after using gloves.

No work inside the laboratory shall be carried with exposed skin, cuts and lesions.

Blood shall be drawn through new disposable, properly sterilized syringes and needles.

Blood shall not be pipetted by mouth.

A freshly prepared solution of 01% sodium hypochlorite should always be available in the blood bank for sterilization of re-usable equipment e.g. pipettes, scissors, beakers, flasks and other equipment.

Needles and other sharp instruments shall always be kept in rigid plastic, glass or metallic containers.

Needles shall be properly capped.

Decontaminated material shall be autoclaved or burnt and buried at a scientific landfill site.

Contaminated laboratory and other clothing be autoclaved before sending them for washing.

Work surfaces shall be decontaminated with 10% sodium hypochlorite solution, bleach and soap at the end of each day.

At the end of work, hands shall be washed with soap or disinfectant.