

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR  
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,  
MUZAFFARABAD

DATED: 29-5-2003

No. LD/315-22/03. The following Act of the Assembly received the assent of the President on 14th day of May, 2003 is hereby published for general information:-

(ACT X OF 2003)  
AN  
ACT

to adapt the Mental Health Ordinance, 2001 in Azad Jammu and Kashmir

WHEREAS it is expedient to adapt the Mental Health Ordinance, 2001 in Azad Jammu and Kashmir for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title and commencement: - (1) This Act may be called the Azad Jammu and Kashmir (Adaptation of Mental Health Ordinance, 2001) Act, 2003.

(2) It shall come into force at once.

2. Adaptation of Mental Health Ordinance, 2001.- The Mental Health Ordinance, 2001 (Ordinance VIII of 2001), hereinafter referred to as the said Ordinance, and all rules, notifications, circulars and orders, made or issued thereunder and in force in Pakistan, immediately before the commencement of this Act, are adapted and shall, as far as practicable, be in force in Azad Jammu and Kashmir with following amendments, subject to the modification that the expression "Federal Government" and "Provincial Government" shall as far as practicable be construed to refer to the "Azad Government of the State of Jammu and Kashmir" and reference to "Pakistan" or any part of Pakistan shall be construed to refer to "Azad Jammu and Kashmir."

3. Amendment of Section 3, Mental Health Ordinance, 2001.-In the said Ordinance, as adapted aforesaid, subsections (1), (2) and (3) of Section 3 shall be substituted as under, namely:-

"3. Mental Health Authority:- (1) For the purposes of this Act, the Government shall constitute, by notification, in the official Gazette, the Azad Jammu and Kashmir Mental Health Authority.

(2) The Authority shall consist of a Chairman and not more than eight members to be appointed by the Government.

(3) The members of the Authority shall be as follows:

1. Secretary Health, Azad Government of the State of Jammu and Kashmir;

ii. Director General Health, Azad Government of the State of Jammu and Kashmir;

iii. Three eminent psychiatrists from Azad Kashmir of at least five years standing;

iv. President, General Secretary and Secretary AJK chapter of Pakistan Psychiatric Society shall be the ex-officio members."

Amendment of Section 29, Mental Health Ordinance, 2001 , -  
In the said Ordinance, in section 29, for the words "Advocate General of the Province concerned," the words "respective District Judge" shall be substituted.

The Lunacy Act, 1912 (Act IV of 1912), is hereby repealed.

Sd/-IRSHAD AHMED QURESHI)  
DEPUTY SECRETARY