

THE [KHYBER PAKHTUNKHWA]
PREVENTIVE HEALTH ACT, 2009.

([KHYBER PAKHTUNKHWA] ACT NO. XVII OF 2009)

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*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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THE [KHYBER PAKHTUNKHWA]
PREVENTIVE HEALTH ACT, 2009.

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AN
ACT

To provide for preventive health measures in the Province.

Preamble.---WHEREAS it is expedient to provide for preventive health measures in the Province of the *[Khyber Pakhtunkhwa] for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement.---(1) This Act may be called the *[Khyber Pakhtunkhwa] Preventive Health Act, 2009.

(2) It shall extend to the whole of the [Province of the Khyber Pakhtunkhwa].

(3) It shall come into force at once.

2. Definitions.---In this Act, the following expression shall have the meanings hereby respectively assigned to them, that is to say.

(a) “Assembly” means the Provincial Assembly of the *[Khyber Pakhtunkhwa];

(b) “Government” means the Government of the *[Khyber Pakhtunkhwa]; and

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(c) "Nikah Registrar" means a person to whom a license is granted under section 5 of the Muslim Family Laws Ordinance, 1961.

3. Preventive measures.---Notwithstanding anything to the contrary contained in any other law or rule for the time being in force, every marriage in the Province before solemnizing shall fulfill the following precautionary/preventive health measures that:-

(i) A Nikah Registrar shall obtain test reports of premarital screening of spouses for:

(a) Thalassemia; and
(b) Hepatitis C.

(ii) The result (whatever it may be) shall have no effect on the marriage being solemnized.

(iii) | The Nikah Registrar shall keep and maintain these reports for at least two years from the date the marriage is solemnized.

(iv) If a marriage is solemnized in contravention of these provisions or clause (iii) is violated, the license of such Nikah Registrar shall be cancelled and whoever, other than Nikah Registrar, solemnizes such marriage shall be fined Pak rupees 10,000.

4. Power to make rules.---The Government shall make rules for carrying out the purposes of this Act within six-months of the commencement of this Act and shall be placed before the Assembly for information.