

**THE PUNJAB TRANSFUSION OF SAFE BLOOD  
ORDINANCE 1999  
(XXXVI OF 1999)**

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TEXT

**THE PUNJAB TRANSFUSION OF SAFE BLOOD ORDINANCE 1999  
(XXXVI of 1999)**

[14<sup>th</sup> July, 1999]

**An  
Ordinance**

*to regulate transfusion of safe blood and blood products.*

**WHEREAS** it is expedient to regulate transfusion of safe and healthy blood and blood products free from viruses and infective agents and to provide for matters connected therewith and incidental thereto.

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

**NOW THEREFORE** in exercise of the powers conferred upon him under Article 128(2) of the Constitution the Governor of Punjab is pleased to promulgate the following Ordinance:-

**1. Short title and commencement.**— (1) This Ordinance may be called the Punjab Transfusion of Safe Blood Ordinance 1999.

(2) It shall come into force at once and shall be deemed to have taken effect on the day the Punjab Transfusion of Safe Blood Ordinance 1999 (XVI of 1999) stands repealed<sup>2</sup> under Article 128(2) of the Constitution.

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

(a) “blood bank” includes all organizations maintained for the purposes of receiving, preserving, storing, analyzing and processing blood and blood products; and

(b) “safe blood” means human blood or blood product which is healthy and free from human immunodeficiency (HIV) viruses, Hepatitis B and C viruses or such other viruses or infective agents as the Government may, by notification in the official gazette, specify.

**3. Transfusion of safe blood.**— Every person transfusing blood to any patient shall ensure that the blood is safe blood.

**4. Registration of blood banks.**— No blood bank shall receive or supply blood unless it is registered with the Punjab Blood Transfusion Authority and a licence is

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<sup>1</sup>This Ordinance was Promulgated by the Governor on 9 July 1999; published in the Punjab Gazette, (Extraordinary), dated 14 July 1999, pp. 865-68. Under Article 4 of the Provisional Constitution (Amendment) Order 1999 (9 of 1999), it will remain in force notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

<sup>2</sup>It stood repealed on 15 July 1999.

issued to it by the Authority in the manner and subject to payment of such fee as may be prescribed.

**5. Establishment of Authority.—** (1) The Government may establish an Authority to be known as the Punjab Blood Transfusion Authority comprising such number of members as the Government may determine.

(2) The Government shall appoint one of the members as the Chairman of the Authority.

(3) No action of the Authority shall be invalid because of any defect in the constitution of the Authority or any vacancy in it.

**6. Functions of the Authority.—** The functions of the Authority shall be to—

- (a) develop uniform policy covering all aspects of safe blood transfusion based on current developments in the field;
- (b) register and issue licenses to blood banks;
- (c) allow renewal of license issued to blood banks annually on payment of such fees after satisfying itself that instructions issued by it for safe blood transfusion were being followed by the blood banks;
- (d) fix service charges of blood and blood products;
- (e) ensure that bio-safety measures specified by the Authority are strictly adhered to by the blood banks;
- (f) ensure that the blood banks are managed and run by qualified professionals preferably having post graduate qualifications in blood transfusion, haematology or clinical pathology recognized by the Pakistan Medical and Dental Council established under the Medical and Dental Council Ordinance, 1962 (XXXII of 1962); <sup>3</sup>[\*]
- (g) monitor the working of the blood banks and carry out periodical inspections where necessary <sup>4</sup>[;] <sup>5</sup>[and]
- <sup>6</sup>[(h) the authority may delegate any of its functions and powers to the District Safe Blood Transfusion Committee as it may deem appropriate under the Ordinance.]

**7. Responsibilities of blood banks.—** Every blood bank shall—

<sup>3</sup>Omitted the word “and” by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.2; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

<sup>4</sup>Substituted for the “full-stop” by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.2; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

<sup>5</sup>Inserted by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.2; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

<sup>6</sup>Added by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.2; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

- (a) have a separate department, staff and set of equipments for the purpose of blood donations and for selection, handling, care and safety of the donors;
- (b) select donors of blood in accordance with the instructions issued by the Authority;
- (c) cause the donated blood and blood products to be screened, examined and tested in accordance with instructions issued by the Authority for detection of any communicable disease;
- (d) possess equipment required for haemoglobin estimation, blood grouping, cross matching, anti-bodies detection and screening of infectious agents, such as human immunodeficiency, hepatitis viruses, or other infective agents specified by the Authority;
- (e) equip itself with proper refrigeration of blood and blood products and make arrangements for uninterrupted power supply for refrigeration;
- (f) discourage acceptance of blood from professional blood donors; and
- (g) submit periodical reports in respect of donations of the blood received by it with breakup of blood groups, detection of anti-bodies and screening of infectious agents.

**8.** <sup>7</sup>[**District Safe Blood Transfusion Committee**].— The Government may, for the purpose of creating awareness for availability of safe blood and motivation for voluntary blood donations, set up a <sup>8</sup>[**District Safe Blood Transfusion Committee**] consisting of philanthropists, social workers and such other persons as it may deem appropriate.

**9. Penalty for contravention.**— (1) Any person contravening the provisions of this Ordinance shall be punishable with imprisonment which may extend to three years or with fine upto fifteen thousand rupees, or with both.

(2) Notwithstanding the provisions of sub-section (1) if the Authority is satisfied that any blood bank has contravened the provisions of this Ordinance it may —

- (a) issue an adverse findings report and put the blood bank on probation;
- (b) cause cessation of operation by the blood bank;
- (c) seize and prevent the release of blood or blood products that violate prescribed regulations, or are considered unsafe;
- (d) de-register the blood bank; and
- (e) debar the re-registration of the blood bank temporarily or permanently.

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<sup>7</sup> Substituted for the words "Punjab Safe Blood Donation Committee" by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.3; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

<sup>8</sup> Substituted for the words "Punjab Safe Blood Donation Committee" by the Punjab Transfusion of Safe Blood (Amendment) Ordinance, 2001(XXII of 2001), w.e.f. 2.10.2001, s.3; and published in the Punjab Gazette (Extraordinary), pages 1705-1706, which will remain in force under the Provincial Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

**10. Cognizance of contravention.**— 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.

**11. Rules.**— The Government may, make rules for giving effect to the provisions of this Ordinance.

**12. Regulations.**— The Authority may with the prior approval of the Government and subject to the rules make regulations to give effect to the provisions of this Ordinance.