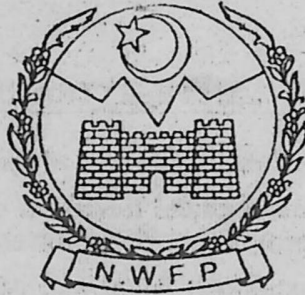


EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P. 111

G A Z E T T E

**North-West Frontier Province**

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Published by Authority

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PESHAWAR, MONDAY, 26TH APRIL, 2004.

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PROVINCIAL ASSEMBLY OF N.W.F.P.

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**NOTIFICATION**

26th April, 2004.

No. PA/NWFP/Legis-1/2004/9120-25.— The North-West Frontier Province (Medical Relief) Endowment Fund Bill, 2004 having been passed by the Provincial Assembly of North-West Frontier Province on the 31st March, 2004 and assented to by the Governor of the North-West Frontier Province on 19th April, 2004 is hereby published as an Act of the Provincial Legislature of the North-West Frontier Province.

**THE NORTH-WEST FRONTIER PROVINCE  
(MEDICAL RELIEF) ENDOWMENT FUND ACT, 2004.  
(N.-W.F.P. ACT. No. IV OF 2004)**

*[First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of the N.W.F.P. (Extraordinary), dated the 26th April, 2004]*

AN  
ACT

*to provide for the establishment of Endowment Fund  
in the North-West Frontier Province.*

WHEREAS it is expedient to provide for the establishment of Endowment Fund in the North-West Frontier Province, for providing medical relief and treatment to poor;

It is hereby enacted as follows:-

1. **Short title, extent and commencement.**— (1) This Act may be called the North-West Frontier Province (Medical Relief) Endowment Fund Act, 2004.
  - (2) It extends to whole of the North-West Frontier Province.
  - (3) It shall come into force at once.
2. **Definitions.**— In this Act, unless the context otherwise requires,-
  - (a) "Bank" means the financial institution in whose custody the proceeds of the Fund are kept and invested;
  - (b) "Committee" means the Committee established under section 7;
  - (c) "Fund" means the North-West Frontier Province Endowment Fund

- (d) "Government" means the Government of the North-West Frontier Province;
- (e) "medical relief" means medical treatment extended free of cost to poor in accordance with the provisions of this Act and the rules made thereunder;
- (f) "poor" means a Mustahiq-e-Zakat and other needy people who cannot afford the expenditures relating to diseases covered under the scheme and identified as such by the referring institutions (hospitals);
- (g) "prescribed" means prescribed by rules made under this Act; and
- (h) "rules" means rules made under this Act.

3. **Establishment of Endowment Fund.**— (1) As soon as may be, after the commencement of this Act, Government shall established a Fund to be known as the North-West Frontier Province (Medical Relief) Endowment Fund.

(2) The Fund shall be established with an initial capital of rupees five hundred million and may, from time to time, be credited with-

- (a) Government grants;
- (b) donations by philanthropist; and
- (c) income from any other source.

(3) The profit without interest from the Fund will be used for payment of expenses arising out of treatment of poor patients for the diseases specified in section 5 or notified thereunder.

4. **Maintenance of Fund.**— The Fund shall be kept and maintained through such Bank and invested upon in such manner as may be determined by the Committee.

5. **Diseases covered under the Fund.**— The profits accruing on the Fund will be utilised for providing medical relief to poor suffering from or requiring Open Heart Surgery, Angioplasty, placement of Pace Maker, Cancer, Advance Renal Failure, Dialysis, Hepatitis-C, and other serious diseases including Thalassemia and burn injuries, etc., as may be notified by the Committee.

6. **Control and management of Fund.**— The Fund shall be under control of, and operated upon by, the Committee.

7. **Establishment of Committee.**— (1) There shall be a Committee to carry out the purposes of the Act.

(2) The Committee shall consist of a Chairman and such members, as specified in section 8.

(3) Government may, as and when it feels desirable, replace a member or members by a notification in the Official Gazette.

(4) The Committee shall meet at such place and date as the Chairman may specify.

(5) The Committee shall evolve its own procedure for the conduct of its business under this Act.

(6) No remuneration shall be admissible to the Chairman, any member or the Secretary of the Committee.

8. **Composition of the Committee.**— (1) The Committee referred to in section 7 shall consist of the following:

- |     |   |                           |
|-----|---|---------------------------|
| (a) | Minister Health and Population Welfare,<br>North-West Frontier Province;  | Chairman.                 |
| (b) | One Member each from the Opposition and<br>Treasury Benches of the Provincial Assembly<br>of NWFP to be nominated by the Speaker,<br>Provincial Assembly of NWFP; | Members.                  |
| (c) | Secretary to Government, Health<br>Department or his nominee not below<br>the rank of an Additional Secretary;  | Member.                   |
| (d) | Secretary to Government, Finance<br>Department or his nominee not below<br>the rank of an Additional Secretary;   | Member.                   |
| (e) | Secretary to Government,<br>Zakat, Ushr and Social Welfare<br>Department or his nominee not below<br>the rank of an Additional Secretary;                         | Member.                   |
| (f) | two Social Workers/Philanthropists and<br>two business persons to be nominated by the<br>Chairman;  | Members.                  |
| (g) | a representative of each of the following<br>hospitals to be nominated by the Chairman:   | Members.                  |
|     | (i) Lady Reading Hospital,<br>Peshawar;   |                           |
|     | (ii) Khyber Teaching Hospital,<br>Peshawar;   |                           |
|     | (iii) Hayatabad Medical Complex,<br>Peshawar;   |                           |
|     | (iv) Institute of Radiotherapy and<br>Nuclear Medicine, Peshawar;   |                           |
|     | (v) District Headquarter Hospital,<br>Dera Ismail Khan;   |                           |
|     | (vi) Saidu Group of Hospital, Swat;   |                           |
|     | (vii) Ayub Teaching Hospital, Abbottabad;   |                           |
|     | (viii) Mardan Medical Complex.  |                           |
| (h) | Director General Health Services,<br>North-West Frontier Province;  | Member-cum-<br>Secretary. |
| (2) | The Chief Minister shall be the Patron-in-Chief of the Committee.   |                           |

9. **Audit and Accounts.**— (1) The Bank shall be responsible to maintain the accounts of the Fund in such form and manner as may be prescribed.

(2) No amount from the Fund shall be withdrawn, unless it is approved by the Committee.

(3) Withdrawal of amount from the Fund shall be permissible only under the joint signatures of the Chairman and the Secretary to Government, Finance Department.

(4) Accounts of the Fund shall be audited in the prescribed manner.

(5) In case of emergency, the Chairman of the Committee may make payment of emergent nature.

10. **Power to make rules.**— Government may make rules for carrying out the purposes of this Act.

11. **Availability of facility for medical treatment.**— The facilities of medical treatment under this Act shall be available in the following hospitals and institutions and such other hospitals and institutions as Government may, from time to time, by notification in the Official Gazette, specify:

- (i) Lady Reading Hospital, Peshawar;
- (ii) Khyber Teaching Hospital, Peshawar;
- (iii) Hayatabad Medical Complex, Peshawar;
- (iv) Ayub Teaching Hospital, Abbottabad;
- (v) Saidu Group of Hospital, Swat;
- (vi) Institute of Radiotherapy and Nuclear Medicine Peshawar;
- (vii) District Headquarter Hospital, Dera Ismail Khan; and
- (viii) Mardan Medical Complex.

BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF  
NORTH-WEST FRONTIER PROVINCE.

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NAZIR AHMAD  
Secretary,  
Provincial Assembly of N.W.F.P.