

**THE GOA CLINICAL ESTABLISHMENTS (REGISTRATION AND REGULATION)
(AMENDMENT) BILL, 2024**

(BILL NO. 26 OF 2024)

A

BILL

further to amend the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 19 of 2019)

BE it enacted by the Legislative Assembly of Goa in the Seventy-fifth Year of the Republic of India as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Goa Clinical Establishments (Registration and Regulation) (Amendment) Act, 2024.

(2) It shall come into force at once except sections 2 and 4 which shall be deemed to have come into force on the 15th day of March, 2024.

2. **Insertion of new section 20A.**- After section 20 of the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 19 of 2019) (hereinafter referred to as the "principal Act"), the following section shall be inserted, namely:-

"20A. Extension of time limit for provisional and permanent registration.- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the provisional registration granted under this Act in the past which have lapsed or which are subsisting shall stand revived or extended and shall be deemed to be valid for a period of one year from the date of coming into force of this section.

(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the clinical establishments who have not obtained provisional or permanent registration under this Act shall be entitled to apply and obtain permanent registration under this Act within a period of one year from the date of coming into force of this section."

3. Amendment of section 45.- In section 45 of the principal Act, for expression “within the meaning of section 21 of the India Penal Code, 1860 (45 of 1860)”, the expression “as defined in clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.

4. Amendment of section 47.- In section 47 of the principal Act, sub-section (3) shall be omitted.

5. Repeal and savings. – (1) The Goa Clinical Establishments (Registration and Regulation) (Amendment) Ordinance, 2024 (Ordinance No. 4 of 2024) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to insert new section 20A in the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 19 of 2019) (hereinafter referred to as the “principal Act”) so as to extend the time limit for provisional and permanent registration of the clinical establishments.

The Bill seeks to make consequential amendment to section 45 of the said Act in view of enactment of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).

The Bill seeks to amend section 47 of the said Act so as to give more time to obtain registration of the clinical establishments who have not complied with the requirement of obtaining provisional/final registration within the time limit prescribed under the Act.

The Bill also seeks to repeal the Goa Clinical Establishments (Registration and Regulation) (Amendment) Ordinance, 2024 (Ordinance No.4 of 2024) promulgated by the Governor of Goa on 15/03/2024.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

Assembly Hall,
Porvorim, Goa
Dated: 25/07/2024

VISHWAJIT RANE
Hon'ble Minister for Health

Assembly Hall,
Porvorim, Goa.
Dated: 25/07/2024.

NAMRATA ULMAN
Secretary Legislature

A Tabular format showing existing provision and proposed amendment in the Goa Clinical Establishments (Registration and Regulation) Act, 2019 :

Sl. No.	Existing Section in the Act	Proposed Section in the Act
1	Insertion of new section.	<p>1. Insertion of new section 20A.__ After section 20 of the Goa Clinical Establishments (Registration and Regulation) Act, 2019 (Goa Act 10 of 2019) (hereinafter referred to as the “principal Act”, the following section shall be inserted, namely:-</p> <p>“20A. Extension of time limit for provisional registration.- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the provisional registration granted under this Act in the past which have lapsed or which are subsisting shall stand revived or extended and shall be deemed to be valid for one year from the date of coming into force of this section.</p> <p>(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the clinical establishments who have not obtained provisional or permanent registration under this Act shall be entitled to apply and obtain permanent registration under this Act within one year from the date of coming into force of this section”.</p>
2.	47 (3) Every rule made by the Government under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Goa while it is in session, for a total period of fourteen days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, the House agrees in making any modification in the rule or House agrees	To be Omitted.

	<p>that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p>	
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