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THE KERALA CLINICAL ESTABLISHMENTS (REGISTRATION AND REGULATION) AMENDMENT BILL, 2022

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BILL

to amend the Kerala Clinical Establishments (Registration and Regulation) Act, 2018.

Preamble.—WHEREAS, it is expedient to amend the Kerala Clinical Establishments (Registration and Regulation) Act, 2018 (Act 2 of 2018) for the purposes hereinafter appearing;

BE it enacted in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Clinical Establishments (Registration and Regulation) Amendment Act, 2022.

(2) It shall be deemed to have come into force on the 1st day of January, 2019.

2. *Amendment of section 51.*—In the proviso to sub-section (1) of section 51 of the Kerala Clinical Establishments (Registration and Regulation) Act, 2018 (Act 2 of 2018) (hereinafter referred to as the principal Act), for the word "two" the word "four" shall be substituted.

3. *Validation.*—The period for removal of difficulties under sub-section (1) of section 51 of the principal Act shall be deemed to have been extended by the proviso to sub-section (1) of section 51 as amended by this

amendment Act and accordingly anything done or any action taken under section 51 shall not be deemed to invalid or have been invalid only on the ground that the period for the removal of difficulties has expired.

STATEMENT OF OBJECTS AND REASONS

As per sub-section (1) of section 51 of Chapter IX of the Kerala Clinical Establishments (Registration and Regulation) Act, 2018 (Act 2 of 2018), if any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the official gazette, make provisions which appear to them to be necessary and not inconsistent with the provisions of this Act for the purpose of removing the difficulty and it is provided that no such order shall be made after the expiry of a period of two years from the date of commencement of the said Act.

2. The existing COVID-19 pandemic has hampered the smooth functioning of the Kerala Clinical Establishments Council and has necessitated the postponement of discussions with various organisations, formation of sub-committees and state council meetings. Therefore, the Government have decided to extend the period of two years for removal of difficulties in sub-section (1) of section 51 of the Act to four years. For the said purpose, the Government have decided to amend the proviso to sub-section (1) of section 51 of the Kerala Clinical Establishments (Registration and Regulation) Act, 2018 by substituting the word "two" with "four".

3. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any recurring or non-recurring additional expenditure from the Consolidated Fund of the State.

VEENA GEORGE.

EXTRACT FROM THE RELEVANT PORTIONS OF THE KERALA CLINICAL ESTABLISHMENTS (REGISTRATION AND REGULATION) ACT, 2018 (ACT 2 OF 2018)

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51. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the official gazette, make provisions which appear to them to be necessary and not inconsistent with the provisions of this Act for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

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