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MINISTRY OF LAW, PARLIAMENTARY AFFAIRS AND JUSTICE.

(Law and Parliamentary Affairs Division)

Dacca, the 11th February, 1975.

NOTIFICATION

No. 78-Pub.—The following Ordinance made by the President of the People's Republic of Bangladesh, on the 8th February, 1975, is hereby published for general information:—

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LAW, PARLIAMENTARY AFFAIRS AND JUSTICE

(Law and Parliamentary Affairs Division).

THE BLIND RELIEF (DONATION OF EYE) ORDINANCE, 1975.

Ordinance No. V of 1975.

AN
ORDINANCE

to provide for certain matters relating to donation of eye.

WHEREAS it is expedient to provide for certain matters relating to the donation of eye for the relief of the blind and the use of eye so donated and for matters ancillary thereto;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

(545)

Price ; 24 Pajsa.

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance :

1. **Short title.**—This Ordinance may be called the Blind Relief (Donation of Eye) Ordinance, 1975.

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

- (a) "donation" means donation of eyes under sub-section (1) of section 3;
- (b) "donee" means the person who is entitled to receive and use the eyes for the purpose for which they have been donated;
- (c) "donor" means a person who donates one or both of his eyes for therapeutic use.

3. **Donation of eyes.**—(1) It shall be lawful for any person who is competent to contract to donate one or both of his eyes by gift or by will for therapeutic use during his life time or after his death :

Provided that in the case of donation by gift for use during the life time of the donor only one eye shall be deemed to have been donated.

(2) A donation shall not be valid unless it is made by a registered instrument which is—

- (a) executed by or on behalf of the donor and attested by at least two witnesses competent to attest an instrument of transfer of property; and
- (b) delivered to, and accepted by, the donee:

Provided that a donation by word of mouth in the presence of two such witnesses shall be valid if it is made by the donor during his illness which induces an apprehension of death in him and actually results in his death.

(3) Unless it specifies any person for whose use and benefit the eyes have been donated, the donation shall be deemed to have been made generally for the relief of the blind.

(4) A donation may be revoked by the donor at any time during his life time in the same manner in which it was made.

4. **Enucleation and use of eyes.**—(1) It shall be lawful for a donee to enucleate, or cause the enucleation of the eyes of the donor and to use or cause to be used the eyes so enucleated to give effect to the donation.

Explanation—“Enucleation” with reference to eyes shall include removal or extraction of such organ, tissue or other part of a body which is necessary for the utilisation of the eyes.

(2) Where the eyes have been donated for the use and benefit of any particular person, they shall be so used; but if that person is not available for giving effect to the donation or that person does not any more need the donation, the eyes may be used, subject to any rules made in this behalf, generally for the relief of the blind.

(3) Where the body of the donor requires *post mortem* examination under law, enucleation of his eyes for the purpose of giving effect to his donation shall be subject to the requirement of such examination.

5. **Information as to death of the donor.**—(1) Where a donation is to take effect after the death of the donor, his next of kin or the person upon whom devolves by law the right to control the disposition of the remains of the deceased donor shall, if he has any information about the donation, forthwith inform the donee of the fact of the death of the donor.

(2) Failure to comply with the provisions of sub-section (1) shall be punishable with fine which may extend to Takas one thousand.

6. **Authority for removal of eyes of unclaimed bodies of certain institutions.**—(1) In the case of a body lying in a hospital, prison, nursing home or other institutions and not claimed by his next of kin, an authority for removal of the eyes may be given by the person having the control or management of the hospital, prison, nursing home or institution.

(2) No authority under sub-section (1) shall be given within half an hour from the time of death.

7. **Ordinance to override other laws.**—The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any law, including personal law, custom or usage but shall not be so construed as to restrict or limit any right or authority a donor may otherwise have regarding the disposition of his eyes after his death.

8. **Power to make rules.**—(1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for the following matters:—

(a) person who shall be qualified to undertake operation for enucleation of the eyes of the donor;

(b) the hospital or other places at which enucleation may be carried out;

(c) preservation of the eyes donated for giving effect to the donation; and

(d) such other matters as are necessary to properly give effect to donations.

DACCA;
The 8th January 1975.

SHEIKH MUJIBUR RAHMAN
President.

JUSTICE M. H. RAHMAN,
Secretary.

MINISTRY OF LAW, PARLIAMENTARY AFFAIRS AND JUSTICE

(Law and Parliamentary Affairs Division)

Dacca, the 11th February, 1975.

NOTIFICATION

No.79-Pub.—The following Ordinance made by the President of the People's Republic of Bangladesh, on the 8th February 1975, is hereby published for general information:—

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LAW, PARLIAMENTARY AFFAIRS AND JUSTICE

(Law and Parliamentary Affairs Division)

THE BANGLADESH BANK (AMENDMENT) ORDINANCE, 1975

Ordinance No. VI of 1975

AN

ORDINANCE

further to amend the Bangladesh Bank Order, 1972.

WHEREAS it is expedient further to amend the Bangladesh Bank Order, 1972 (P.O. No.127 of 1972), for the purposes hereinafter appearing;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render immediate action necessary;

NOW, THEREFORE, in exercise of the powers conferred by clause (J) of article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title.**—This Ordinance may be called the Bangladesh Bank (Amendment) Ordinance, 1975.

2. **Amendment of Article 9, P.O. No.127 of 1972.**—In the Bangladesh Bank Order, 1972 (P.O. No.127 of 1972), hereinafter referred to as the said Order, in Article 9, for clause (3) the following shall be substituted, namely:—

“(3) The Board shall consist of—

(a) the Governor;

(b) a Deputy Governor to be nominated by the Government;

(c) four Directors to be nominated by the Government from amongst persons who, in the opinion of the Government, have had experience and shown capacity in the field of banking, trade, commerce, industry or agriculture;

(d) three Government officials to be nominated by the Government.”.

3. Amendment of Article 10, P. O. No. 127 of 1972.—In the said Order, in Article 10,—

(a) in clause (3), after the word “appointed”, the words “by the Government” shall be inserted; and

(b) in clause (4), after the word “appointed”, the words “by the Government” shall be inserted.

4. Amendment of Article 16, P.O. No. 127 of 1972.—In the said Order, in Article 16, after clause (I), the following new clause shall be inserted, namely :—

“(1A) The accepting of money on deposit, with or without interest, from and the collection of money for foreign Governments, banks, companies, institutions or concerns or foreign nationals;”.

5. Amendment of Article 19, P. O. No. 127 of 1972.—In the said Order, in Article 19, clause (7) shall be omitted.

6. Amendment of Article 30, P. O. No. 127 of 1972.—In the said Order, in Article 30, in clause (I), in sub-clause (a), after the word “Units”, the comma and words “Islamic Dinars” shall be inserted.

7. Amendment of Article 31, P. O. No. 127 of 1972.—In the said Order, in Article 31, after the word “Units”, the comma and words “Islamic Dinars” shall be inserted.

8. Amendment of Article 36, P. O. No. 127 of 1972.—In the said Order, in Article 36,—

(a) after clause (2), the following new clauses shall be inserted, namely :—

“(2A) Notwithstanding anything contained in clauses (1) and (2), the Bank may, by notification in the official Gazette, direct that every scheduled bank shall, with effect from such date as may be specified in the notification, maintain with the Bank in addition to the balance prescribed by or under clause (1) or (2) an additional daily balance the amount of which shall not be less than the rate or amount specified in the notification.

(2B) Where any scheduled bank maintains, in pursuance of a notification issued under clause (2A), any balance with the Bank, the amount of which is not less than that required to be maintained by such notification, the Bank may pay to the scheduled bank interest at such rate or rates as may be determined by the Bank from time to time on the amount by which such balance actually maintained is in excess of the balance which the scheduled bank would have to maintain if no such notification was issued :

Provided that no interest shall be payable on any such amount actually maintained as in in excess of the balance required to be maintained under clause (2A).” ; and

(b) in clause (4), after the words, brackets and figure “clause (2)” the words, brackets, figure and letter “or required to be maintained under clause (2A)” shall be inserted.

9. Amendment of Article 74, P. O. No. 127 of 1972.—In the said Order, for Article 74 the following shall be *substituted*, namely:—

“74. The Bank shall not be liable to the payment of customs duty on gold, silver, coins, currency notes, security papers, and any other goods that may be specified by the Government.”

10. Amendment of Article 81, P. O. No. 127 of 1972.—In the said Order, in Article 81, in clause (b), the words and commas “and, if not prejudicial to the public interest, make public,” shall be *omitted*.

SHEIKH MUJIBUR RAHMAN
President.

DACCA ;
The 8th February, 1975.

JUSTICE M. H. RAHMAN
Secretary.

MINISTRY OF FINANCE

Internal Finance Division

Dacca, the 11th February, 1975.

No. S.R.O. 73-L/75/1F-VI-18/75-ST/106.—In exercise of the powers conferred by section 3 of the Stamp Duties (Additional Modes of Payment) Act, 1974 (LXXI of 1974), the Government is pleased to make the following amendments in the Stamp Duties (Additional Modes of Payment) Rules, 1974, namely:—

In the aforesaid Rules,—

(a) in rule 3, in sub-rule (3), *after* the word “Sub-Treasury” occurring for the second time, the words, letters, figures and commas “or any branch of a bank authorised under the Ministry of Finance Notification No. S.R.O. 120-L/74/IF-VI-279/74-ST/665, dated the 28th November, 1974” shall be *inserted*; and

(b) in rule 4, in *sub-rule (1)*, for the word “quadruplicate” the words “six copies” shall be *substituted*.

By order of the President
M. IMRAN ALI
Deputy Secretary.