

# LET US KNOW - THE HIV/AIDS ACT, 2017

- Designates persons infected and affected by HIV/AIDS as “Protected Persons” – (Sec. 2(s))
- Ensures protection against discrimination in employment (to hold public office), education, healthcare, travel, and insurance and strictly bans unfair treatment given to people living with and affected by HIV in accessing public facilities – (Sections 3 & 4 )
- Ensures the right to HIV prevention, testing, treatment and counselling services with Informed Consent (Sec. 5, 13 & 14)
- Defines access to welfare schemes especially for women, children and people in the care. (Sections: 9, 16, 18, 32 & 33)
- Ensures the right to reside, rent, purchase or occupy in the ‘shared household’ preventing expulsion in a discriminatory manner. (Section 29)
- Person below the age of 18 but above the above 12 with sufficient maturity of understanding can act as a guardian for his/her sibling take decisions in matter of Admission to educational establishments; care and protection, treatment, operating bank accounts, managing property, etc. (Sections 32 & 33)
- Offences can be tried in both criminal and civil proceedings (Sections 37, 38, 39 & 42). Grievance can also be addressed by an Ombudsman appointed by the State Government. (Sec.23)
- The Court shall take up and dispose of on priority basis all the Legal proceeding concerning or relating to an HIV-positive person. (Sec.34(2) )
- Penalty upto Rs.1 lakh for Breach of confidentiality of the HIV status – (Sec. 39) and Imprisonment of not less than 3 months and may extend upto 2 years and fine upto Rs. 1 lakh for propagating (by way of publishing) / exposing protected persons and for the acts of spreading feelings of hatred, discrimination or physical violence against them -. (Sec.8-10 , 34(1)(d) & Sec.37)