

REGISTERED No.  $\frac{M - 302}{L - 7646}$



EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

---

ISLAMABAD, THURSDAY, NOVEMBER 23, 2023

---

---

PART III

Other Notifications, Orders, etc.

SENATE SECRETARIAT

*Islamabad, the 13th November, 2023*

**No. F. 24(125)/2023-Legis.**— The following Bills were introduced in the Senate on 6th November, 2023:-

SENATE BILL NO. LXXVI OF 2023.

A

BILL

*further to amend the Imports and Exports (Control) Act, 1950*

WHEREAS it is expedient further to amend the Imports and Exports (Control) Act, 1950 (XXXIX of 1950) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**— (1) This Act shall be called the Imports and Exports (Control) (Amendment) Act, 2023.

2685(1—47)

*Price: Rs. 60.00*

[2198(2023)/Ex. Gaz.]

(2) It shall come into force at once.

**2. Amendment of section 3, Act XXXIX of 1950.** - In the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), in section 3, in sub-section (2), for the full-stop "." in the end, a colon ":" shall be substituted, and thereafter the following proviso shall be inserted, namely:-

**"Provided that the Federal Government shall restrict the export of raw salt and impose conditions for trade and prescribe value additions for the end product, as the case may be."**

**STATEMENT OF OBJECTS AND REASONS**

Pakistan possesses the world's largest and most pure rock salt reserves. As currently situated, this commodity has been exported internationally in raw form, without a policy that allows for maximum revenue to be retained in Pakistan. Global analysts suggest that this commodity has an estimated annual market in Billions of Dollars that is further growing on annual basis. The amendment in this Act provides a bar on the export of raw salt and directs the Federal Government to impose conditions upon its export.

**Senator Zeeshan Khan Zada  
Senator Faisal Saleem Rehman  
Senator Mohammad Abdul Qadir  
Members-In-Charge**

SENATE BILL NO. LXXVII OF 2023**A****Bill***further to amend the Civil Servants Act, 1973*

**WHEREAS** it is expedient further to amend the Civil Servants Act, 1973 (LXXI of 1973) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Civil Servants (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of section 9, Act LXXI of 1973.-** In the Civil Servants Act, 1973 (LXXI of 1973), in section 9, after sub-section (3), the following new sub-section (4) shall be inserted, namely:-

"(4) Notwithstanding anything contained in this section, if a civil servant dies or superannuates after the Central Selection Board or, as the case may be, the Departmental Promotion Committee has recommended his promotion to a higher post, the Competent Authority shall approve promotion of such a civil servant with effect from the date on which the recommendation was made."

**STATEMENT OF OBJECTS AND REASONS**

There are instances where a civil servant has been recommended for promotion by the selection authority but promotion could not be actualized due to death or superannuation of the civil servant before notification of his promotion or assumption of charge of the higher post. Therefore, the Establishment Division vide No. S.R.O 733(1)/2005, dated 22-7-2005 extended the benefit of promotion to such civil servants in terms of Rule 7-A of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. However, there is no such provision in the Civil Servants Act, 1973. This amendment in the Act, 1973 proposes to insert the enabling provision in the law to achieve the aforesaid objectives.

**SENATOR SHAHADAT AWAN  
MEMBER-IN-CHARGE**

SENATE BILL NO. LXXVIII OF 2023

**A  
BILL**

*further to amend the Cutting of Trees (Prohibition) Act, 1992*

**WHEREAS** it is expedient further to amend the Cutting of Trees (Prohibition) Act, 1992 (XVIII of 1992) for purposes appearing herein after, and for matters ancillary thereto;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.** - (1) This Act may be called the Cutting of Trees (Prohibition) (Amendment) Act, 2023.

(2) It shall extend to the Islamabad Capital Territory

(3) It shall come into force at once.

**2. Amendment of section 2, Act XVIII of 1992.**- In the Cutting of Trees (Prohibition) Act, 1992 (XVIII of 1992), hereinafter referred to as the said Act, in section 2,-

(i) after clause (a), the following new clause shall be inserted, namely,-

"(aa) 'Banyan tree' large fig tree (*Ficus benghalensis*) native to India and Pakistan that that send out roots which grow downward into the ground and form new supporting trunks and has spreading branches which send out aerial roots that grow down to the ground and form secondary trunks around the host tree;' ;and

(ii) in clause (d), the word "and" occurring at the end shall be omitted and thereafter, the following new clause shall be inserted, namely,-

"(da) 'third zone' means Islamabad Capital Territory, (ICT); and "

**3. Amendment of section 3, Act XVIII of 1992.**- In the said Act, in section 3, in sub-section (1),-

(i) in clause (i), the word "and" occurring at the end shall be omitted; and

(ii) in clause (ii), for the full stop "." occurring at the end a semi-colon and the word "; and" shall be substituted and thereafter the following new clause shall be added, namely,-

"(iii) in third zone, if the tree is of Banyan tree".

**4. Amendment of section 4, Act XVIII of 1992.-** In the said Act, in section 4,-

- (i) in clause (i), for the phrase "five thousand rupees", the phrase "twenty thousand rupees and shall be subject for every such subsequent offence for one hundred thousand rupees" shall be substituted; and
- (ii) in clause (ii), for the phrase "two thousand and five hundred rupees", the phrase "ten thousand rupees and shall be subject for every such subsequent offence for one hundred thousand rupees" shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

Pakistan is among countries most vulnerable to climate change and global warming. Urban areas especially capital city Islamabad is being denuded of trees in order to set up commercial areas to provide jobs and also to meet the housing needs of those coming to cities to work. To protect the environment afforestation and restoring all old trees in the capital city will preserve and protect natural green environment of the city. In this regard Banyan trees (bargad) are very important because they are not only like natural canopies where people gather to protect themselves from scorching sun but also add to the beauty of the city. They have also provided structure to the city. Among all the species, the banyan trees are the only ones that have survived for centuries at various spots in and around the federal capital, and have cultural value and there are more than 176 centuries-old banyan trees in Islamabad. As bargad trees remain green all the year round and consume less water for having aerial roots, these were the best choice not only for plantation but also for preservation. Furthermore, its shade has a soothing effect, especially considering the times when there was no electricity or even cold water. The situation clamors to introduce the said bill.

2. The Bill has been designed to achieve the above purpose.

**SENATOR PALWASHA MOHAMMED ZAI KHAN  
MEMBER-IN- CHARGE**

SENATE BILL NO. LXXIX OF 2023**A  
Bill**

*to provide for the establishment of the Pakistan Ehsaas Targeted Subsidies Riayat Programme*

Whereas it is necessary to provide for the establishment of the Pakistan Ehsaas Targeted Subsidies Programme as a targeted subsidy program of the Government, to further the goal of social protection and poverty alleviation, and to create an efficient and agile mechanism to channel subsidies to low-income households for essential items such as food, medicine and other commodities and services;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.** - (1) This Act may be called the Pakistan Ehsaas Targeted Subsidies (Riayat) Programme Act, 2023.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) "Beneficiary" means a low-income household that is eligible for subsidies under this programme;

(b) "Commodities" means food and non-food items, as notified by the Programme from time to time;

(c) "Digital voucher" means the digital system established for the targeting of the subsidized commodities and medicines and reimbursement of shopkeepers for the cost of subsidized items provided to beneficiaries under this Act;

(d) "Essential medicines" means a list of medicines deemed as essential by the World Health Organization determined by the Programme as essential for the treatment of common illnesses, including on priority, but not limited to non-communicable disease medication;

(e) "Government" means the Federal Government of Pakistan;

(f) "Network of pharmacies" means the network of private sector pharmacies engaged by the Ministry for the dispensing of subsidized essential medicines to beneficiaries under this Act;

(g) "Programme" means the Ehsaas Targeted Subsidies Programme;

(h) "Services" means amenities and facilities, as notified by the Programme from time to time;

(i) "Steering Committee" means the Committee established by the Government to provide leadership, strategic direction and institutional oversight for the Programme and initiatives launched and operated thereunder; and

- (j) "Subsidy" means the financial assistance provided to the eligible households under this program.

**3. Establishment of Programme.** - (1) There shall be a Programme of the Government to be known as the Pakistan Ehsaas (Riayat) Targeted Subsidies Programme for carrying out the purposes of this Act.

(2) The Programme shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold movable and immovable property, and to sue and be sued in its name.

(3) The principal office of the Programme shall be at Islamabad, and additional offices of the Programme may be established at any other places in the country with approval of the Steering Committee.

**4. Objective and purposes of Programme.** - The objective and purposes of the Programme shall be to:

- (a) provide subsidies on food and /or non-food commodities and services to alleviate the impact of rampant inflation;
- (b) create an effective mechanism for targeting of subsidies to low-income households, to ensure the targeting of families that deserve the most;
- (c) provide subsidized essential medicines to low-income families in order to ensure that they have access to basic healthcare, and to prevent them from falling into poverty due to the high cost of healthcare;
- (d) reduce inequalities in the access to medicines;
- (e) complement any health insurance program running in the country which covers costs of inpatient treatment, by providing coverage for medicines, if it is not included in insurance program;
- (f) expand the network of locations where subsidized medications are available, beyond public hospital pharmacies, by leveraging digitized private sector pharmacies;
- (g) build an open digital plug-and-play ecosystem whereby qualified and eligible merchants, department stores, superstores, minimarts, chain grocery stores and network of pharmacies may be commissioned as subsidy providers after passing required eligibility checks;
- (h) promotes financial inclusion of both, beneficiaries and merchants and leverages digital payments and cashless transactions where possible;
- (i) employ modern technology and data analytics, develop and maintain databases and invest in effective governance, to insulate government subsidy programmes from abuse and malpractices, misuse of discretion and political interference and to enhance efficiency, responsiveness, transparency and merit-based delivery;

- (j) pave the way for graduation from untargeted to totally targeted delivery of Government subsidies;
- (k) enter into contracts and agreements with other organizations in the public as well as private sector to utilize the required expertise, technologies and databases available with them; and
- (l) reduce inefficiencies and redundancies in current public sector subsidy provisioning and create the opportunities to route other Government subsidies through the Programme.

**5. Governance and administration of Programme.** - (1) The Programme shall be administered by a Programme Management Unit established in the assigned Ministry.

(2) The Programme Management Unit shall be responsible for the implementation, monitoring and evaluation of the Programme in coordination with the relevant Government departments and agencies.

(3) The Ministry shall provide the Programme Management Unit with the necessary staff and resources to deliver on its mandate.

(4) The aforementioned staff may be existing permanent Ministry officials operating with additional charge, or dedicated contractual resources hired for the Programme Management Unit.

**6. Establishment of Steering Committee for leadership and institutional oversight.** - (1) A Steering Committee shall be constituted by the Government to provide leadership, strategic direction and institutional oversight for smooth execution of the Programme and initiatives launched and operated thereunder.

(2) The Steering Committee shall be responsible for the following:-

- (a) approval of Programme design, the strategy and policy for its implementation;
- (b) identification and notifying the commodities and services to be subsidized;
- (c) launching or adoption of any ongoing projects and setting up institutions to deliver the subsidized commodities and services;
- (d) determination of the rate of subsidy in the provision of notified commodities and services;
- (e) development of criteria for the determination of the beneficiaries for various subsidies;
- (f) formulating mechanisms for the supply of various subsidized commodities and services;

- (g) conduct of periodic performance reviews for institutional oversight;
- (h) provision of guidelines and specific directions for mid-course corrections as and when required;
- (i) authorization of annual budget and approval of operational plans of the Programme; and
- (j) building the capability and capacity to scale up the Programme across the entire country.

**7. Eligible persons or families for financial assistance.** - All low-income individuals or families that fall below a poverty threshold as determined by the Federal Government, shall be eligible to receive notified assistance from the Programme.

**8. Disbursement procedure.** - Funds of the Programme shall be applied towards providing assistance and support to eligible persons and families in the form of digital vouchers and shall be made via a national network of participating merchants including network of pharmacies, with the entitlement for each family maintained in a digital ledger.

**9. Budget of Programme.** - The Programme Management Unit in consultation with the assigned Ministry shall, in respect of each financial year, prepare the annual budget estimates of the Programme and submit the same to the Steering Committee for approval in accordance with such financial procedures as may be approved by the Steering Committee.

**10. Indemnity.** - No prosecution, suit or other legal proceedings shall lie against the Programme, Steering Committee, Members, Officers and other employees of the Programme for anything done in good faith for carrying out the purposes of this Act or rules, regulations or orders made or issued thereunder.

**11. Maintenance of accounts and internal control.** - The Programme shall maintain complete and accurate books of accounts in connection with the discharge of its responsibilities as may be prescribed by the Auditor General of Pakistan.

**12. Audit.** - (1) The accounts of the Programme shall be audited every year by the Auditor General of Pakistan in such manner as may be prescribed by him.

(2) The internal audit of the Programme shall be carried through an independent internal audit officer who shall report directly to the Steering Committee and the internal audit reports shall be presented to the Steering Committee for comments and follow up on the remedial actions.

**13. Annual report.** - The dedicated/assigned Ministry shall approve the annual report of the Programme and cause such report to be laid before the National Assembly of Pakistan.

**14. Redressal of grievance.** - (1) The Programme shall provide channels for members of the public, including program beneficiaries and participating merchants, to register grievances.

(2) These channels for grievance redressal may include, but not be limited to a helpline or complaint portal or dedicated SMS Account.

(3) Any person or family aggrieved by a decision involving the eligibility under the Programme may, within thirty days of the decision by the assigned Ministry, prefer an appeal to the prescribed authority of such Ministry in such manner as may be prescribed by the rules.

**15. Act not to prejudice other laws.** - The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

**16. Power to make rules.** - The Government may make rules, not inconsistent with the provision of the Act, for carrying out the purposes of this Act.

**17. Power to frame regulations.** - (1) The Steering Committee may frame regulations, not inconsistent with the provision of the Act or rules made thereunder, for carrying out the purposes of this Act.

(2) Without prejudice to or limiting sub-section (1), the regulations shall provide, inter alia, for matters involving financial assistance, payment schedule, grievance redressal, social audits and operation of all schemes established and implemented under the Programme.

**18. Removal of difficulties.** - If any difficulty arises in giving effect to the provisions of this Act, the Government may make such order, not inconsistent with provisions of this Act or any other law regulating the implementing agencies, as is necessary or expedient to remove such difficulty.

#### **STATEMENT OF OBJECTS AND REASONS**

Inflation rates are at a record high in Pakistan. Food inflation has hit 36.4%, while retail prices of medicines have been increased by 20% for general medicines and 14% for essential ones. Since wages have failed to increase at the same rate as the cost of living, most families' purchasing power has significantly eroded. Hardest hit have been poor and vulnerable families, who are struggling to put food on the table. In contrast, the Government spends hundreds of billions of rupees each year in subsidizing rich mill owners, large landowners, and other wealthy business. These untargeted subsidies are a burden on the national exchequer and do not reach the poor people who need them the most.

2. This Bill aims to reform the mechanism through which government subsidies are disbursed, creating a digital channel for targeting subsidies to the most vulnerable families, to provide them with a buffer against rising inflation.

**SENATOR SANIA NISHTAR  
MEMBER IN CHARGE**

SENATE BILL NO. LXXX OF 2023

**A  
BILL**

*further to amend the Child Marriage Restraint Act, 1929*

**WHEREAS** it is expedient further to amend the Child Marriage Restraint Act, 1929 (XIX of 1929) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.** – (1) This Act may be called the Child Marriage Restraint (Amendment) Act, 2023.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Amendment of Section 4, Act XIX of 1929** - In the Child Marriage Restraint Act, 1929 (XIX of 1929), hereinafter referred to as the said Act, in section 4, for the phrase, "simple imprisonment which may extend to one month or with fine which may extend to one thousand rupees" the phrase, "two years imprisonment and a fine of five hundred thousand rupees," shall be substituted.

**3. Amendment of Section 5, Act XIX of 1929.**- In the said Act, in section 5, for the phrase, "simple imprisonment which may extend to one month or with fine which may extend to one thousand rupees, "the phrase, "two years imprisonment and a fine of five hundred thousand rupees," shall be substituted.

**4. Amendment of Section 6, Act XIX of 1929.**- In the said Act, in section 6, in sub-section (1), for the phrase, "simple imprisonment which may extend to one month or with fine which may extend to one thousand rupees, "the phrase, "two years imprisonment and a fine of five hundred thousand rupees," shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

The purpose of bringing this amendment is to increase the punishments for the people, who, being an adult male above the age of eighteen years, contract a marriage with a minor girl child, or the person who solemnises such a marriage, or the parent/guardian of such a child, who permits such a marriage. It will not only create deterrence in society, but also discourage people, who are involved in arranging, allowing, and conducting child marriages to a greater extent.

2. This bill is aimed to achieve the above-said objective.

**SENATOR BAHRAMAND KHAN TANGI**  
**Member-In-Charge**

SENATE BILL NO. LXXXI OF 2023**A****BILL***further to amend the Public Procurement Regulatory Authority Ordinance, 2002*

**WHEREAS** it is expedient further to amend the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Public Procurement Regulatory Authority (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of Section 6, Ordinance XXII of 2002.-** In the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002), in section 6, after sub-section (4), the following new sub-section shall be added, namely,-

**“(4A) The Members referred to in entry (7) of sub-section (2), shall be the persons of integrity, possessing qualifications, and at least fifteen years’ experience in public administration, economics, legal matters, finance, engineering or related technical fields.”**

**STATEMENT OF OBJECTS AND REASONS**

Qualifications are considered as one of the core instruments for governing and regulating an organization. By being linked to access to occupations and professions, qualifications define what a person needs to know and be able to do to carry out a certain responsibility. The Public Procurement Regulatory Authority Ordinance, 2002 prescribes the provisions regarding Private Members of the Authority without providing any requisite of the qualifications for them. In order to bring the law in conformity with global best practices, the amendment is proposed to prescribe qualifications for the private members, with an aim to ensure competence and effective management of the affairs and responsibilities of the Board as well as Public Procurement Regulatory Authority. This Bill is designed to achieve the above objectives.

**SENATOR SHAHADAT AWAN  
MEMBER-IN-CHARGE**

SENATE BILL NO. LXXXII OF 2023

**A**

**BILL**

*further to amend the National Security Council Act, 2004*

**WHEREAS** it is expedient further to amend the National Security Council Act, 2004 (I of 2004) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the National Security Council (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of section 4, Act I of 2004.-** In the National Security Council Act, 2004 (I of 2004), in section 4, for the words "the Leader of the Opposition in the National Assembly" the words "the Leaders of the Opposition in the National Assembly and the Senate" shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

The Senate of Pakistan and National Assembly have been represented in Parliamentary Committee on the National Security by the Leaders of Opposition of both Houses. On the other hand, National Security Council Act, 2004 does not provide the representation by Leader of Opposition in the Senate beside the National Assembly.

2. This Bill aims at provision of aforesaid representation vide amendment therein.

**SENATOR SHAHADAT AWAN**  
Member-in-Charge

SENATE BILL NO. LXXXIII OF 2023**A  
Bill**

*to provide for establishment of the Pakistan Emergency Treatment Coverage Programme*

**WHEREAS** it is necessary to provide for establishment of the Pakistan Emergency Treatment Coverage Programme as a healthcare assistance programme of the Federal Government, to further the goal of expending access to healthcare in the cases of emergency medical care;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.-** (1) This Act may be called the Pakistan Emergency Treatment Coverage Programme Act, 2023.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

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

- (a) "emergency medical condition" means any acute illness or accidental injury that necessitates immediate, unexpected and urgent medical care or services to save a person's life or to prevent serious complications from an illness or injury, wherein delay in seeking immediate medical attention would be hazardous to life or health, cause serious impairment to bodily functions or cause serious dysfunction of any bodily organ or part;
- (b) "Federal Government" means the Federal Government of Pakistan;
- (c) "healthcare facility" means any public hospital or other public medical facility that has an emergency medical department;
- (d) "Ministry" means the relevant Federal Ministry that shall be responsible for implementing the Programme;
- (e) "Programme" means the Pakistan Emergency Treatment Coverage Programme;
- (f) "regulations" means regulations made under section 17;
- (g) "rules" means rules made under section 16;
- (h) "stabilize" means to provide treatment for an emergency medical condition as may be necessary to assure, within reasonable medical probability, that no material deterioration is likely to result from or occur during the transfer from a facility;
- (i) "Steering Committee" means the Committee established to provide institutional oversight for the Programme; and
- (j) "treatment" includes diagnostic services, laboratory tests, medicines and medical and surgical procedures necessary for emergency care.

**3. Establishment of Programme.-** (1) There shall be a Programme of the Federal Government to be known as the Pakistan Emergency Treatment Coverage Programme for carrying out the purposes of this Act.

(2) The Programme shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold property, movable and immovable and to sue and be sued in its name.

(3) The principal office of the Programme shall be at Islamabad and additional offices of the Programme may be established at any other places in the country with the approval of the Steering Committee.

**4. Objective and purposes of Programme.-** The objective and purposes of the Programme shall be to,-

- (a) allow all residents of Islamabad Capital Territory to receive emergency treatment and care under any emergent circumstances, without prepayment of requisite fee or charges including prompt and necessary emergency medical treatment and critical care, emergency obstetric treatment and care by any public sector health care provider, establishment or facility, qualified to provide such care or treatment without delay;
- (b) allow all patients to avail free transportation to receive emergency medical care at all public healthcare facilities; and
- (c) complement the Sehat Sahulat program, to collectively provide comprehensive universal healthcare to the greatest extent possible.

**5. Obligations for healthcare facilities.-** (1) Public healthcare facilities with an emergency department shall provide adequate medical screening to determine if an emergency medical condition exists, to all patients that approach their emergency department with a request for examination or treatment.

(2) The emergency medical care screening shall be provided by qualified medical personnel within the capability of its emergency department.

(3) If the initial medical screening determines that an individual has an emergency medical condition, the healthcare facility must either provide further medical examination and treatment to stabilize the patient using available staff or facilities or transfer the patient to a different medical facility with more specialized capabilities.

**6. Governance and administration of Programme.-** (1) The Programme shall be administered by a Programme Management Unit established at a relevant Ministry under the supervision of the Federal Government.

(2) The Programme Management Unit shall be responsible for the implementation, monitoring and evaluation of the Programme in coordination with the relevant government departments and agencies, including managing patients, partnerships with healthcare facilities, payments and carrying out other day-to-day program implementation.

(3) The Ministry shall provide the Programme Management Unit with the necessary staff and resources to deliver on its mandate.

**7. Establishment of Steering Committee for institutional oversight.-** (1) A Steering Committee shall be constituted by the Federal Government to provide oversight for smooth execution of the Programme.

(2) The Steering Committee shall be comprised of the Federal Minister for Health, the Federal Minister for Poverty Alleviation and Social Safety, the CEO of the implementing agency for the Sehat Sahulat Programme, three government officials to be nominated by the Prime Minister and three independent experts from the healthcare field.

(3) The mandate of the Steering Committee shall be to define and approve the strategy and policy related to the Programme, to approve programme design, partnership decisions and to ensure smooth operations of the Programme.

(4) The Steering Committee shall oversee the scale up of the Programme across Islamabad Capital Territory.

(5) The Programme Management Unit at the Ministry will also serve as the Secretariat of the Steering Committee.

**8. Eligible persons or families for Programme assistance.-** All residents of Islamabad Capital Territory and their families shall be eligible to receive free emergency medical care as part of the Programme.

**9. Reimbursement of Healthcare Facilities.-** (1) The Federal Government shall reimburse healthcare facilities for the cost of emergency healthcare expenditure incurred by individuals who are eligible for free coverage under this Act, at rates set by the Steering Committee with input from a panel of technical experts.

(2) The reimbursement shall be made through a digitized system to ensure transparency and efficiency, after verification of treatment completion.

(3) The Federal Government shall set up a mechanism to periodically review the reimbursement rates to ensure that they are in line with the actual cost of providing emergency healthcare.

**10. Budget of Programme. -** (1) The Ministry shall, in respect of each financial year, prepare the annual budget estimates of the Programme and submit the same to the Steering Committee for approval in accordance with such financial procedures as may be approved by the Steering Committee.

(2) The Programme may be funded entirely by the Federal Government or by a combination of contributions by the Federal and Provincial Governments.

**11. Maintenance of accounts and internal control.-** The Programme shall maintain complete and accurate books of accounts in connection with the discharge of its responsibilities as may be prescribed by the Auditor General of Pakistan.

**12. Audit.-** (1) The accounts of the Programme shall be audited every year by the Auditor General of Pakistan in such manner as may be prescribed by him.

(2) An independent audit of the Programme shall be carried through an independent audit firm that shall report directly to the Steering Committee and the audit reports shall be presented to the Steering Committee for comments and follow up on the remedial actions.

**13. Annual report.-** The Ministry shall approve the annual report of the Programme and cause such report to be laid before the National Assembly of Pakistan.

**14. Redressal of grievance.-** (1) The Programme shall provide channels for members of the public, including program beneficiaries and participating merchants, to register grievances.

(2) These channels for grievance redressal may include, but not be limited to a helpline or complaint portal.

(3) Any person or family aggrieved by a decision involving the eligibility under the Programme may, within thirty days of the decision by the relevant implementing agency, prefer an appeal to the prescribed authority of such implementing agency in such manner as may be prescribed by the rules.

**15. Act not to prejudice other laws.-** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

**16. Power to make rules.-** The Federal Government may make rules for carrying out the purposes of this Act.

**17. Power to frame regulations.-** (1) The Steering Committee may frame regulations for carrying out the purposes of this Act.

(2) Without prejudice to or limiting sub-section (1), the regulations shall provide, inter alia, for matters involving financial assistance, payment schedule, grievance redressal, social audits and operation of all schemes established and implemented under the Programme.

**18. Removal of difficulties.-** If any difficulty arises in giving effect to the provisions of this Act, the Federal Government may make such order, not inconsistent with provisions of this Act or any other law regulating the implementing agencies, as is necessary or expedient to remove such difficulty.

**STATEMENT OF OBJECTS AND REASONS**

Free emergency care in hospitals is a basic human right. It is imperative that we recognize the significance of providing accessible and cost-free emergency medical services to all individuals, regardless of their financial circumstances. Medical emergencies can occur unexpectedly and swift access to emergency services can significantly improve patient outcomes. Without financial barriers, individuals are more likely to seek help promptly, preventing the exacerbation of conditions and reducing the risk of further complications. By safeguarding public health and safety, we create a healthier and more resilient society as a whole.

2. Providing free emergency care aligns with our moral obligation to prioritize human life and wellbeing. Medical emergencies can affect anyone, regardless of their socioeconomic background. Denying or delaying care based on an individual's ability to pay not only contradicts the fundamental principles of fairness and equality but can also have dire consequences for those in desperate need. By funding free emergency care, we uphold the ethical standards of our society and demonstrate compassion for our fellow citizens.

3. Funding free emergency care can have positive economic implications. Prompt and appropriate emergency medical care can prevent the worsening of conditions, thereby reducing the need for more extensive and costly treatments in the future. Furthermore, by treating emergencies efficiently, we can minimize the strain on healthcare resources, preventing the overcrowding of hospitals and enabling them to function optimally. This, in turn, contributes to the overall efficiency of the healthcare system and helps control healthcare costs.

4. Funding free emergency care fosters public trust and confidence in our healthcare system. Knowing that emergency services are available without financial burdens reassures individuals that their lives and well-being are valued. This trust is essential for maintaining a strong relationship between the healthcare providers and the community they serve. It encourages individuals to seek necessary care promptly, leading to improved health outcomes, reduced complications, and ultimately, a healthier population.

5. In conclusion, funding free emergency care in hospitals is not only a moral imperative but also a wise investment in the well-being of our communities. By ensuring access to immediate medical assistance, we can protect public health, fulfill our ethical obligations, reap economic benefits and nurture trust in our healthcare system.

**SENATOR SANIA NISHTAR**  
**MEMBER IN CHARGE**

SENATE BILL NO. LXXXIV OF 2023

**A**

**BILL**

*further to amend the National Database and Registration Authority Ordinance, 2000*

**WHEREAS** it is expedient further to amend the National Database and Registration Authority Ordinance, 2000 (VIII of 2000) for the purpose hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title and commencement.** - (1) This Act may be called the National Database and Registration Authority (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of preamble, Ordinance VIII of 2000.-** In the National Database and Registration Authority Ordinance, 2000 (VIII of 2000), hereinafter referred to as the said Ordinance, in the preamble, for the words "to facilitate", the words "to ensure" shall be substituted.

**3. Amendment of section 2, Ordinance VIII of 2000.-** In the said Ordinance, in section 2,-

(a) after clause (g), the following new clause (ga) shall be inserted, namely:-

"(ga) "local government" means a local government or cantonment constituted under any law;"

(b) in clause (n), after the word "rules", the words "or regulations" shall be inserted.

**4. Amendment of section 5, Ordinance VIII of 2000.-** In the said Ordinance, in section 5,-

(a) in sub-section (1), in clause (b), for the words "the broadening of the registration base to bring" the word "bringing" shall be substituted;

(b) in sub-section (4):

(i) after clause (a), the following new clause (aa) shall be inserted, namely:-

"(aa) shall issue or renew National Identity Card to a citizen for a prescribed period, form and manner;"

(ii) in clause (b), the expression "citizen," shall be omitted.

**5. Insertion of sections 5A and 5B in Ordinance VIII of 2000.-** In the said Ordinance, after section 5, the following new sections 5A and 5B shall be inserted, namely:-

**"5A. Registration of certain classes of citizens.-** (1) The Authority shall take special initiatives to facilitate and ensure easy and cost-effective issuance or renewal of the National Identity Cards to certain classes of citizens especially women, persons with disabilities, transgender persons, prisoners and religious minorities.

(2) The Authority shall conduct research and analysis identifying the causes of deficiencies in issuance or renewal of the National Identity Cards to certain classes of citizens like women, persons with disabilities, transgender persons and religious minorities in any area and take effective measures to address these causes for universal issuance or renewal of the National Identity Cards to these classes of citizens.

**5B. Periodic campaign for registration.-** (1) The Authority shall take proactive measures including periodic campaigns for achieving universal registration of citizens and completion of family trees for swift issuance of the National Identity Cards to citizens who have attained eighteen years of age.

(2) The Federal Government shall, by rules, fix the timelines for provision of services to citizens by the Authority with clear roles and responsibilities of the Registration Officers.

(3) In case of failure of the Authority in provision of a service within the prescribed timeline, the Authority shall waive entire fee for provision of the service to the citizen and shall take disciplinary action against the responsible officer or officers."

**6. Amendment of sections 6, Ordinance VIII of 2000.-** In the said Ordinance, in sections 6, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**7. Amendment of sections 7, Ordinance VIII of 2000.-** In the said Ordinance, in sections 7, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**8. Substitution of section 9, Ordinance VIII of 2000.-** In the said Ordinance, for section 9, the following shall be substituted, namely:-

**"9. Registration of citizens.-** (1) The Authority shall, in the prescribed manner, register a citizen who has attained the age of eighteen years and after birth of a citizen in coordination with the local governments.

(2) A citizen who has attained the age of eighteen years shall, within six months from the date of attaining the age of eighteen years, apply for registration with the Authority.

(3) A parent or guardian shall, within six months from the date of the birth of a citizen, apply for registration of the child with the local government.

(4) The Authority shall develop an integrated birth registration database management system in coordination with the local governments and shall take measures for universal child birth registration of the citizens.

(5) A local government shall assist the Authority for universal child birth registration of the citizens through the integrated birth registration database management system and the Authority may issue directions to the local governments which shall be binding on the local governments.

(6) For a citizen born outside Pakistan, an embassy or a high commission of Pakistan shall be deemed as a local government for the child birth registration.

(7) A citizen may make an application for birth registration in such form and to such person or forum as may be prescribed.

(8) The Authority shall issue to a citizen who has not attained the age of eighteen years but is registered under sub-section (1) such certificate of registration in such form and manner and containing such information relating to such registered citizen as may be prescribed.

(9) A court or any other forum shall admit in evidence the certificate issued under sub-section (8) or a National Identity Card

(10) issued under this Ordinance for the purpose of proving the identity of, and other information or particulars contained in it relating to the citizen."

**9. Substitution of section 10, Ordinance VIII of 2000.-** In the said Ordinance, for section 10, the following shall be substituted, namely:-

**"10. National Identity Cards.-** (1) The Authority shall issue or renew National Identity Card to a citizen who has attained the age of eighteen years and is registered under section 9, having the period of validity, upon payment of a reasonable fee and in the form and manner, as may be prescribed.

(2) Before issuing or renewing a card under this section, the Authority may require a person to surrender the National Identity Card earlier issued to the person under this Ordinance.

(3) The Authority shall identify the unregistered citizens or class of citizens like women, transgender persons, persons with disabilities and religious minorities, and areas with low registration and shall take measures for ensuring registration of those citizens by facilitating them in issuance of the National Identity Cards.

(4) Notwithstanding anything contained in this Ordinance, the Authority shall issue a National Identity Card to a citizen under this Ordinance for the period as may be prescribed by the Federal Government with a view to promoting uniformity, authenticity and technological advancement in the registration of citizens and issuance of National Identity Cards."

**10. Insertion of section 10A, Ordinance VIII of 2000.—** In the said Ordinance, after section 10, the following new section 10A shall be inserted, namely:-

**"10A. National Identity Cards with disability logo. -** (1) The Authority shall issue or renew National Identity Card with disability logo to a citizen who has attained the age of eighteen years, is registered under section 9 and is a person with prescribed disability with the period of validity, upon payment of fee and in the form and manner, as may be prescribed.

(2) The Authority may, in the prescribed manner, ascertain the disability and in case of visible disability may issue or renew National Identity Card with disability logo on the basis of on the spot examination by a designated Registration Officer."

**11. Amendment of section 14, Ordinance VIII of 2000.-** In the said Ordinance, in section 14, for the expression "10, 11, 12 and 13", the expression "10, 10A, 11, 12 and 13" shall be substituted, namely:-

**12. Amendment in section 17, Ordinance VIII of 2000.-** In the said Ordinance, in section 17, for sub-section (1), the following shall be substituted, namely:-

"(1) In case of the death of a holder of a card or certificate issued under this Ordinance, a next of kin or guardian of the deceased shall, within sixty days of death, surrender the card or certificate to the District Registrar or any other person or authority as may be prescribed."

**13. Insertion of section 17A in Ordinance VI11 of 2000.-** In the said Ordinance, after section 17, the following new section 17A, shall be inserted, namely:-

**"17A. Registration of deaths.-** (I) The Authority shall, in the prescribed manner, register death of a citizen in coordination with the local governments.

(2) The Authority shall develop an integrated death registration database management system in coordination with the local governments and shall take measures for universal death registration of the citizens.

(3) A local government shall assist the Authority for death registration of the citizens through the integrated death registration database management system and the Authority may issue directions to the local governments which shall be binding on tile local governments.

(4) For a citizen who dies outside Pakistan, an embassy or a high commission of Pakistan shall be deemed as a local government for the death registration.

(5) A next of kin or guardian of a citizen who dies may make an application for death registration in such form and to such person or forum as may be prescribed.

(6) The Authority shall, in the prescribed manner, cancel the National Identity Card of the dead citizen."

**14. Amendment of sections 19, Ordinance VIII of 2000.-** In the said Ordinance, in sections 19, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**15. Insertion of section 22A in Ordinance VIII of 2000.-** In the said Ordinance, after section 22, the following new section 22A shall be inserted, namely:-

**"22A. Sharing of information by and with Bureau of Statistics.-** (1) The Pakistan Bureau of Statistics established under the General Statistics (Reorganization) Act, 2011 (XIV of 2011) shall, on the request of the Authority, share information about population, individuals and households in a census block with the Authority.

(2) The Authority shall, on the request of the Pakistan Bureau of Statistics, share information about family tree and registered citizens with the Pakistan Bureau of Statistics.

(3) The Authority shall use the information provided by the Pakistan Bureau of Statistics for registration of unregistered citizens especially women, transgender persons, persons with disabilities and persons belonging to religious minorities."

**16. Substitution of section 23, Ordinance VIII of 2000.-** In the said Ordinance, for section 23, the following shall be substituted:

**"23. Power to call for proof of information.-** (1) Subject to sub-section (2), the Authority may require a person who has given any information to furnish documentary or other evidence of the truth of the information where it is within the power of the person to furnish the required evidence.

(2) The Authority may not require proof of any person's visible disability except for an undertaking as may be prescribed."

**17. Amendment of sections 24, Ordinance VIII of 2000.-** In the said Ordinance, in sections 24, for the words "local authority" wherever occurring, the words "local government" shall be substituted.

**18. Substitution of section 31, Ordinance VIII of 2000.-** In the said Ordinance, for section 31, the following shall be substituted, namely:-

**"31. Cognizance of offences. -** (1) No court shall take cognizance of any offence under this Ordinance except upon complaint in writing made by the Authority or any officer authorised by it.

(2) The Authority or the authorised officer shall not file the complaint under this section unless a show-cause notice is issued to the accused specifying the offence and the Authority or the authorised officer is satisfied about commission of offence."

**19. Substitution of section 38, Ordinance VIII of 2000.-** In the said Ordinance, for section 38, the following shall be substituted, namely:-

**"38. Annual report.-** (1) The Authority shall, within ninety days of the end of every financial year, prepare an annual report of its activities for the preceding financial year and submit it to the Federal Government and each Provincial Government.

(2) The annual report under sub-section (1) shall include:

- (a) analysis on performance of its functions, exercise of its powers and the carrying out of its purpose and its objects during the financial year and the anticipated plans and developments for the following year;
- (b) an appraisal of the state of development, establishment and maintenance of registration and database systems in the country, status of data security and all related matters identifying the problems, prospects and other necessary areas and matters for consideration and action of the Federal Government, a Provincial Government and a local government;

- (c) details about aliens' registration and assistance to the Election Commission in preparation of electoral rolls and addressing gender gaps including;
  - (i) district-wise gender disaggregated data of the National Identity Cards issued during the financial year;
  - (ii) district-wise data of the National Identity Cards issued during the financial year;
  - (iii) district-wise data of cancellation of the National Identity Cards during the financial year;
  - (iv) district-wise applications for issuance of the National Identity Cards that remain pending at the end of the financial year due to doubts about the citizenship status of the applicants;
  - (v) district-wise proactive measures taken for registration especially for women, persons with disabilities, transgender persons and religious minorities; and
  - (vi) challenges and issues faced in the registration process and the efforts made in mitigating them;
- (d) statements of income and expenditures against various heads in comparison to last two years including explanations about good performance or shortfalls, if any.

(3) The Authority shall, within thirty days from the date of communication of the annual report to the Federal Government, publish the annual report on its website."

**20. Insertion of section 38A in Ordinance VIII of 2000.-** In the said Ordinance, after section 38, the following new section 38A shall be inserted, namely;-

**"38A. Performance audit and transparency.** (I) The Federal Government shall, at least once in two years cause to be conducted, the performance audit of the Authority to assess and evaluate the performance of the Authority in accomplishing the objectives of this Ordinance including:

- (a) level of compliance with the Ordinance, rules and regulations;
- (b) status of registration especially of women, persons with disabilities, transgenders and religious minorities;
- (c) quality and security of data including National Identity Cards and electoral rolls;
- (d) assessment of procedures, protocols and documentary requirements with a view to facilitate consumers of the public service being provided by the Authority;
- (e) difference, if any, in policies, procedures and protocols of field offices of the Authority in different areas or in implementation of such policies, procedures and protocols;
- (f) fair adjudication of cases when the Authority has the reason to doubt citizenship status of the applicants;
- (g) value for money spent by the Authority for specific tasks and objectives;
- (h) business development and delivery against projects awarded to the Authority;
- (i) management and technological improvements by the Authority in the light of identified problems and international best practice;
- (j) transparency in human resource management and procurements by the Authority; and

(k) implementation of citizens right to information under the relevant law including level of proactive disclosures.

(2) The methodology for the performance audit shall ensure; among others, independent analysis of data, systems, procedures, achievements and feedback received from various stakeholders across regions.

(3) The Authority shall cooperate with the person or persons conducting performance audit under this section and make all the record available to the person or persons for a meaningful performance audit of the affairs of the Authority.

(4) The Federal Government shall evaluate the performance audit report mentioned in sub-section (1) and shall, within ninety days from the receipt of the report, lay the report in both Houses of the Parliament.

(5) A House of the Parliament may, by resolution, issue any direction to the Authority as may be necessary for accomplishing the objectives of this Ordinance and the Authority shall implement the direction.

(6) If the Federal Government does not agree to the resolution of a House under sub-section (5) or where both the Houses have passed resolutions under this section which contradict each other, the Federal Government may place the matter before the Parliament in joint sitting and decision of the Parliament in joint sitting shall be final.

(7) The Authority shall publish and regularly update on its website:

- (a) financial information of the Authority including revenue receipts, expenditures and audit reports;
- (b) annual status of registration including of women, transgender persons, persons with disabilities and religious minorities;
- (c) procedure to arrange a mobile registration vehicle;

- (d) monthly schedules of mobile registration vehicles in districts including timing and areas to be visited; and
- (e) performance audit report shared with it by the Federal Government."

**STATEMENT OF OBJECTS AND REASONS**

Dynamics of national identification have fast changed during the past decade. Now, National Identity Card has become essential for exercise of civic and economic/ property rights by the citizens. It is important to bring changes in the NADRA Ordinance in order to conform it to the changed scenario and dynamics of the society. It should be NADRA's responsibility to register every citizen and obligation of citizen is derived through need and necessity. There exists huge gender gap in registration and issuance of the National Identity Cards. Special provisions are required to fill this gap. The law should require NADRA to take special initiatives to facilitate and ensure easy and cost-effective registration of disadvantaged groups like persons with disabilities, transgender persons, prisoners and religious minorities. Child birth registration and registration of deaths are the other key areas which require specific legal provisions for improving systems of NADRA. An amendment makes it obligatory on the Pakistan Bureau of Statistics to share population, individuals and households' information with NADRA making it easier for NADRA to identify unregistered citizens especially women, transgender, persons with disabilities and religious minorities. The Authority should not require proof of any person's visible disability except for an undertaking on the prescribed form. Modern system of monitoring and evaluation of NADRA's work and performance is required to ensure that NADRA keeps pace with time. Mandatory requirement of transparency in the affairs of NADRA is also required to make the institution accountable to citizens. A systemic Parliamentary oversight is missing in the law which should be incorporated to make Parliament well informed about the performance of one of our most important institutions.

2. This bill is aimed to achieve the above-said objective.

**SENATOR FAWZIA ARSHAD  
MEMBER IN CHARGE**

SENATE BILL NO. LXXXV OF 2023

**A**

**BILL**

*further to amend the Limited Liability Partnership Act, 2017*

**WHEREAS** it is expedient further to amend the Limited Liability Partnership Act, 2017 (XV of 2017) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Limited Liability Partnership (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of Section 20, Act XV of 2017.-** In the Limited Liability Partnership Act, 2017 (XV of 2017), in Section 20, in sub-section (6), for the full stop "." occurring at the end, a colon ":" shall be substituted and thereafter the following proviso shall be added, namely:-

**"Provided that in case the default relates to non-compliance of sub-section (3) and such default has been rectified either prior to or within thirty days of issuance of the notice by the Commission, no penalty shall be imposed in this regard and proceedings under this section in respect of such default shall be deemed to be concluded."**

**STATEMENT OF OBJECTS AND REASONS**

The Limited Liability Partnership (LLP) companies are required to file their statement of accounts every year in the manner prescribed by Securities and Exchange Commission of Pakistan (SECP). The Limited Liability Partnership Act, 2017 prescribes penalty for contravention of the provisions regarding maintenance of books of accounts, other records and audit. However, nothing is provided as remedy if the defaulting Limited Liability Partnership Company intends to rectify the default in filing of required statements and accounts. This amendment aims at providing the remedy to the Limited Liability Partnership Company if it has rectified the default either prior to or within thirty days of issuance of the notice by the SECP.

**SENATOR SHAHADAT AWAN  
MEMBER-IN-CHARGE**

SENATE BILL NO. LXXXVI OF 2023

**A  
BILL**

*further to amend the Injured Persons (Medical Aid) Act, 2004*

**WHEREAS** it is expedient further to amend the Injured Persons (Medical Aid) Act, 2004 (XII of 2004), in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.** - (1) This Act may be called the Injured Persons (Medical Aid) (Amendment) Act, 2023.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Substitution of Section 2, Act XII of 2004.-** In the Injured Persons (Medical Aid) Act, 2004 (XII of 2004), hereinafter referred to as the said Act, for section 2, the following shall be substituted, namely :-

**"2. Definitions.-** In this Act, unless there is anything repugnant in the subject or context,-

(a) "Ambulance" means a special vehicle equipped and facilitated with a minimum of oxygen cylinder, defibrillator, fire extinguisher, dressings, bandages, emergency obstetric kit, stretcher(s), cardiac monitor, telecommunication device for establishing contact with a hospital located nearest to the site of the incident along with skilled paramedical staff to aid an injured person in an emergency medical condition and provide immediate medical attention during transportation from the place of incident to a hospital or from one hospital to another hospital, as the case may be;

(b) "Court" means the Court of Session;

(c) "Doctor" means a medical practitioner registered under the Pakistan Medical and Dental Council Act, 2023 (IV of 2023);

(d) "Emergency Medical Treatment" means the action that is required to be taken, for the stabilization of an injured person and the rendering of such further medical treatment as may be necessary, for the purpose of preventing death or aggravation of the emergency medical condition of the injured person including but not limited to administering of medication and undertaking surgical operations;

(e) "Government" means the Federal Government;

(f) "Hospital" means and includes all government/private hospitals operating in the Islamabad Capital Territory;

(g) "Injured Person" means a person injured due to a traffic accident, assault or any other cause and who has an emergency medical condition;

(h) "Ministry" means the Ministry for National Health Service, Regulations and Coordination, Government of Pakistan; and

(i) "Rules" means rules made under this Act."

**3. Substitution of Section 3, Act XII of 2004.-** In the said Act, for section 3, the following shall be substituted, namely:-

**"3. Injured persons to be treated on priority basis.-** (1) Where an injured person is brought to a hospital, such injured person shall be provided with emergency medical treatment without any delay, on a priority basis, without complying with medico-legal formalities or demanding payment prior to the administering of emergency medical treatment.

(2) It shall be the duty of the hospital to provide emergency medical treatment to the injured person.

(3) No hospital or doctor shall demand any payment for providing emergency medical treatment or such other medical assistance as may be required to be administered to the injured person, if such injured person is unable to make the payment, the cost of the emergency medical treatment in such cases shall be borne by the concerned hospital:

Provided that the Ministry' shall indemnify the private hospital in respect of the cost incurred by such hospital in stabilizing the condition of the injured person:

Provided further that the injured person shall be shifted to a Government hospital immediately upon stabilization of his or her condition:

Provided also that the injured person after stabilization of his or her condition, if he or she so chooses, may remain in the private hospital subject to paying the charges of such hospital.

**Explanation.-** For the purposes of this section, "cost" means the amount which is spent by the hospital in treating a particular injured patient."

**4. Insertion of Section 3A, Act XII of 2004.-** In the said Act, after section 3, substituted as aforesaid, a new section shall be inserted, namely:-

**"3A. Hospitals to be fully equipped.-** It shall be mandatory' for the hospitals to have and maintain at-least two fully equipped and functioning ambulances stationed at the hospital premises at all times or such other number of ambulances as instructed by the Ministry from time to time and to ensure that all such ambulances are also equipped with a list of all hospitals as instructed by the Ministry of National Health, Services, Regulations and Coordination from time to time."

**5. Amendment of Section 6, Act XII of 2004.-** In the said Act, in section 6, after sub-section (2), the following new sub-sections shall be inserted, namely:-

"(3) Every referring and receiving hospital shall maintain a separate register containing the following information in accordance with the provisions of this Act:

- (a) name, address and CNIC/any proof of identity of the injured person;
- (b) date, time and place of incident;
- (c) nature of injuries sustained and other relevant details;
- (d) statement of written refusal of an injured person or his or her guardian(s) or relative(s), as the case may be, to receive emergency medical treatment;
- (e) details of the person who brought the injured person;
- (f) details of emergency medical treatment provided or refused to be provided to the injured person;
- (g) details of expenditure incurred; and
- (h) any other details or information relevant for the purposes of this Act.

(4) The hospital shall, upon the request of an injured person or his or her legal heirs, disclose and provide copies of all records and information maintained by the hospital in respect of the injured person within fourteen days of the receipt of such request."

**6. Amendment of Section 11, Act XII of 2004.-** In the said Act, in section 11, for the expression, "two years", the expression, "three years", for the expression, "ten thousand rupees", the expression, "five hundred thousand rupees" and in the second proviso, for the expression, "Medical and Dental Council Ordinance, 1962 (XXXII of 1962)", the expression, "Pakistan Medical and Dental Council Act, 2023 (IV of 2023)" shall be substituted.

**7. Amendment of Section 12, Act XII of 2004.-** In the said Act, in section 12, after sub-section (2), the following new sub-sections shall be inserted, namely:-

"(3) All offences under this Act shall be non-cognizable.

(4) The Court at any stage of the proceedings may direct the police to arrest the accused."

**8. Insertion of new Sections 12A, 12B and 12C, Act XII of 2004.-** In the said Act, after section (12), amended as aforesaid, the following new sections shall be inserted, namely:-

**"12A. Trial of cases.-** No Court inferior to that of the Session Court shall have jurisdiction to try cases under this Act.

**12B. Appeal.-** An appeal against the final order of the Court of Session, shall lie to the High Court within thirty days of the passing of such order.

**12C. Code of Criminal Procedure and Qanun-e-Shahadat Order to apply.-** The Code of Criminal Procedure, 1898 (Act No. V of 1898) and the Qanun-e-Shahadat Order, 1984 (P.O. No. 10 of 1984), shall mutatis mutandis apply to the proceedings under this Act."

**9. Amendment of Section 14, Act XII of 2004.-** In the said Act, in section 14, the phrase "or Provincial" and afterwards, the phrase, "as the case may be," shall be omitted.

#### **STATEMENT OF OBJECTS AND REASONS**

Accidents and mishaps can occur to any person or at any time, whether by mistake, deliberate act or in the form of a crime committed to any person, and it is the responsibility of State to provide first aid and emergency medical treatment to the injured persons and for that very reason, public or private hospitals must be equipped with sufficient medical staff and infrastructure to deal with every day emergency situations in the Islamabad Capital Territory. These hospitals must provide emergency medical treatment to injured persons, without charges and on urgent basis. In order to achieve the said purpose, this amendment law has been brought to address the problems faced by injured persons and their relatives, for acquiring emergency medical treatment from all hospitals of Federal Capital.

2. This bill is aimed to achieve the above said objective.

**SENATOR PROF. DR. MEHR TAJ ROGHANI**  
**Member-in-Charge**

SENATE BILL NO. LXXXVII OF 2023

**A  
BILL**

*Further to amend the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021*

**WHEREAS** it is expedient further to amend the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (XXV of 2021) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Islamabad Capital Territory Charities Registration, Regulation and Facilitation (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of section 6, Act XXV of 2021.-** In the Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021 (XXV of 2021), hereinafter referred to as the said Act, in section 6,-

(i) for sub-section (1), the following shall be substituted, namely:-

"(1) A certificate of registration issued by the registration authority shall be valid for two years from the date of issuance which shall be renewable after every two years on submission of annual progress reports, audited accounts, application form, fee and such other documents as may be prescribed."; and

(ii) in sub-section (2), for the words "**following year**", the words "**preceding two years**" shall be substituted.

**3. Amendment of section 9, Act XXV of 2021.-** In the said Act, in section 9, in sub-section (3), for the words "**Urdu and English**", the words "**Urdu or English**" shall be substituted.

**4. Amendment of section 15, Act XXV of 2021.-** In the said Act, in section 15, in sub-section (4), the word "**annual**" shall be omitted.

**STATEMENT OF OBJECTS AND REASONS**

The Islamabad Capital Territory Charities Registration, Regulation and Facilitation Act, 2021, was enacted to substitute the obsolete law and make effective provisions of registration and regulation of Charities in the territorial limits of Islamabad. However, the statute prescribes that the certificate of registration issued by the registration authority ought to be renewed each year. Such provision is unrealistic and impractical as the requisite of documentation provided in concerned section for application of renewal is extensive and demands sufficient time to fulfill the obligation. The instant amendment addresses the above anomaly in the law and increases the validity of the certificate of registration from one year to two years, in order to make it practical and executable.

**SENATOR SHAHADAT AWAN  
MEMBER-IN-CHARGE**

SENATE BILL NO. LXXXVIII OF 2023

**A**

**BILL**

*to make provisions for protection of breast-feeding and nutrition  
for infants and young children*

**WHEREAS** it is expedient to ensure safe and adequate nutrition for infants and young children by promoting and protecting breast-feeding and by regulating the marketing and promotion of designated products including breast-milk substitutes, feeding bottles, valves for feeding bottles, nipple shields, teats and pacifiers and to provide for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

**CHAPTER-1  
INTRODUCTORY**

**1. Short title, extent and commencement.** - (1) This Act may be called the Islamabad Capital Territory Protection of Breast-Feeding and Child Nutrition Act, 2023.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

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

- (a) "advertise" or "advertising" means to make any communication or representation by any means whatsoever for the purpose of promoting the sale or use of a designated product, including but not limited to,-
  - (i) written publication, television, radio, film, electronic transmission including the internet, social media, video, telephone or mobile application;
  - (ii) display of signs, billboards or notices; or
  - (iii) exhibition of pictures or models;
- (b) "baby food" means the infant formula, lactose free/ISOMIL, follow-up formula, grown-up formula and any other food manufactures or marketed for the infants and young children;
- (c) "board" means the Islamabad Capital Territory Board for Protection of Breast-Feeding and Child Nutrition;
- (d) "bottle feeding" means feeding liquid or semi-solid food from a bottle with nipple;

- (e) "complementary food" means any food suitable as an addition to breast-milk or to a breast milk substitute when either become insufficient to satisfy the nutritional requirements of an infant, also commonly called "weaning food", or "breast-milk and young child substitute";
- (f) "container" means any form of packaging of a designated product for sale as a retail unit;
- (g) "designated product" means and includes,-
  - (i) any other product marketed or otherwise represented as suitable for feeding infants up to the age of six months and above;
  - (ii) complementary food product;
  - (iii) follow-up formula;
  - (iv) feeding bottles, teats and pacifiers;
  - (v) infant formula represented as a partial or total replacement for mother's milk, whether or not it is suitable for such replacement;
  - (vi) such other products as may be declared by the Board to be as a "designated product" for the purposes of this Act; and
  - (vii) young child/grow-up formula;
- (h) "distributor" means a person, corporation or other entity engaged in the business of marketing any designated product, whether wholesale or retail and includes a person providing product public relations and information services;
- (i) "feeding bottle" means any bottle or receptacle marketed for the purpose of feeding an infant or a young child;
- (j) "follow-up formula" means a formula or formula-like product of animals or vegetable origin formulated industrially in accordance with the Codex Alimentarius standard for follow-up formula and marketed or otherwise represented as suitable for feeding infants and young children older than six months;
- (k) "Government" means the Federal Government;

- (l) "health care facility" means a Government, non-Government, semi-Government or private institution or organization, or private medical practitioner engaged, directly or indirectly, in the provision of health care to infants, young children, pregnant women or mothers and includes a day-care centre, nursery and any other child-care institution;
- (m) "health professional" means a medical practitioner, nurse, nutritionist or such other person with a professional degree, diploma or license, as may be specified by the Ministry of National Health Services, Regulations and Coordination by a notification in the official Gazette;
- (n) "health worker" means any person providing services to infants, young children, pregnant women or mothers, as a medical practitioner and includes a health professional, homeopath, hakim, nurse, midwife, traditional birth attendant, pharmacist, dispensed chemist, nutritionist, hospital administrator or employee, whether professional or not, whether paid or not, any other person providing such services or in a training to provide health care services in a health care facility, whether professional or non-professional, including community midwife or voluntary unpaid worker, as the Federal Government may, by notification in the official Gazette specify;
- (o) "infant" means a child up to the age of twelve months;
- (p) "inspector" means an inspector appointed by the board;
- (q) "label" or "labelling" means a tag, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed, attached or otherwise appearing on a container of a designated product, which includes packaging and insets;
- (r) "logo" means an emblem, picture or symbol by means of which a company or a designated product is identified;
- (s) "manufacturer" means a person, corporation or other entity engaged or involved in the business of producing, processing, compounding, formulating, filling, packing, repacking, altering, ornamenting, finishing and labelling a designated product, whether directly, through an agent, or through a person controlled by or under an agreement;
- (t) "market" or "marketing" means any method of introducing or selling a designated product and includes, but not limited to, promotion, distribution, advertising, distribution of samples, product public relations and product information;

- (u) "pacifier" means an artificial teat or feeding bottle for babies to such also referred to as dummy;
- (v) "person" means any individual, partnership, association, unincorporated organization, company, corporation, trustee, agent or any group of persons;
- (w) "promotion of a designated product" means to employ any method directly or indirectly, encouraging a person, a health facility, health professional and health worker or any other entity including the business to purchase or use of a designated product, whether or not there is reference to a brand name, but does not include any prescription issued by a medical practitioner based on health grounds;
- (x) "regulations & rules" means the regulations and rules made under this Act;
- (y) "sample" means any quantity of a designated product without cost or on reduced price for the promotion or advertisement of a designated product; and
- (z) "young child" means a child from the age of one year to the age of three years.

## **CHAPTER-II ADMINISTRATION**

**3. Establishment of the Board.-** (1) The Federal Government shall, by notification in the official Gazette, establish the Islamabad Capital Territory Protection of Breast-Feeding and Child Nutrition Board.

(2) Minister/Minster of State for National Health Services, Regulations and Coordination shall be the Chairperson of the Board.

(3) The Board shall be a body corporate, having perpetual succession and a common seal, with power to enter into contract, acquire or dispose of property, and may, by its name, sue or be sued.

(4) The Board shall consist of a Chairperson, a Secretary and not more than such number of members, as the Federal Government may prescribe:

Provided that not less than half of the total number of the Members of the Board shall comprise of such persons who are professionally qualified with respect to infant and young child nutrition and at least one member of the Board shall be selected from the industry involved in the manufacturing and marketing of designated products.

(5) The Secretary, Ministry of National Health Services, Regulations and Coordination shall act as ex-officio member of the Board.

**4. Terms and conditions of the Chairperson and the Members of the Board.-** (1) The Federal Government shall nominate and notify the Chairperson and the Members of the Board.

(2) The Chairperson and the members, other than ex-officio members, shall hold the office for a term of three years and shall be eligible for re-appointment.

(3) A person shall not be appointed as Chairperson or a member, other than ex-officio member, for more than two terms, whether consecutive or otherwise.

(4) The Chairperson or a member, other than an ex-officio member, may resign from his office, by serving one month's notice in writing, to the Federal Government.

**5. Removal of the Chairperson and the Members of the Board.-** (1) The Federal Government may, remove the Chairperson or a member, other than ex-officio member, from the Board, if he,-

- (a) has been declared as an discharged solvent; or
- (b) has been convicted of an offence which involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as the Chairperson or the member; or
- (d) has abused his position and rendered his continuance in the office prejudicial to public interest; or
- (e) has entered into any direct or indirect relationship with or has accepted funding or any other form of support from a private sector entity that manufactures or distributes designated products under this Act.

(2) The Chairperson or a member shall not be removed from office except after affording him a reasonable opportunity of being heard.

**6. Powers and functions of the Board.-** (1) The Board shall regulate and monitor the business as per the provisions of this Act.

(2) The Board shall be the sole authority to,-

- (a) formulate method of sampling, analysis of samples and reporting of results;

- (b) set standards of designated products including labelling requirement whether imported or locally manufactured;
  - (c) specify procedures and guidelines for setting-up and accreditation of food laboratories;
  - (d) specify licensing, prohibition orders, fine, recall procedures, improvement notices or prosecution;
  - (e) provide scientific advice and technical support to the Federal Government in matters relating to designated products;
  - (f) to issue instructions to inspectors as to actions to be taken, or take such other actions as the case may be, against any person found to be violating the provisions of this Act or the rules promulgated pursuant thereto;
  - (g) to receive reports of violation of the provisions of this Act or rules;
  - (h) to recommend investigation of cases against manufactures, distributors or health workers found to be violating the provision of this Act or rules;
  - (i) to plan for and coordinate the dissemination of informational and educational materials on the topic of infant-feeding and recommend continuing awareness courses for health workers on topics related to this Act;
  - (j) to frame rules and regulations under the Act to achieve the purpose of this Act for approval by competent authority; and
  - (k) perform any other function to achieve the objective of this Act.
- (3) The Board shall also oversee the following activities for quality and compliance,-
- (a) collect and analyze relevant scientific and technical data relating to the designated products;
  - (b) certify designated product for exports;
  - (c) levy fee for registration, licensing and other services; and
  - (d) organize training programmes to promote purpose of this Act;

**7. Powers and functions of the Secretary of the Board.-** (1) The Secretary of the Board shall have the power to designate any employee of the Ministry as a Coordinator for implementing actions prescribed by the Board and any staff, required to implement the activities prescribed by the Board.

(2) The Secretary of the Board shall call meetings of the Board, at the direction of the Chairperson and maintain minutes of such meetings.

(3) The Coordinator, subject to control and scrutiny of the Board, shall be responsible for accomplishing the objectives of this Act and for efficient implementation of the Act, the rules and the regulations.

(4) The Coordinator shall exercise such powers, as may be prescribed, or delegated to him by the Board.

### CHAPTER-III

#### REGISTRATION OF DESIGNATED PRODUCTS AND QUALITY ASSURANCE

**8. Registration of designated products.-** (1) The Board shall cause all designated products to be registered in accordance with such conditions and procedures, as may be prescribed.

(2) Once the registration of a designated product has been approved, a Certificate of Registration shall be issued.

**9. Quality assurance.-** (1) No designated product shall be manufactured, sold or otherwise distribute in Pakistan, unless it is formulated industrially in accordance with the standards, recommended by the Codex Alimentarius Commission and the Codex Code of Hygiene Practice for Food for Infants and Children, and in addition, shall meet such applicable standards specified in this Act and the rules.

(2) The Board may require an Inspector or any other person with powers under this Act, to test any designated product sold in Pakistan, in order to determine whether or not it is fit for human consumption.

(3) A designated product, which does not meet the standards for use in the country of manufacture, shall not be sold in Pakistan.

(4) A designated product, which has reached the expiry date shall not be marketed, sold or distributed.

(5) A designated product shall be sold only in the original container in order to prevent quality deterioration, adulteration or contamination thereof.

#### CHAPTER-IV PENALTIES

**10. Inspectors.-** (1) The Board shall, appoint such persons as it deem fit, having the prescribed qualifications for the purpose of this Act, to be Inspectors within such local limits as it may assign to them respectively:

Provided that no person who have any direct or indirect financial interest in any designated product shall be so appointed.

(2) Notwithstanding anything contained in this section, the Board, in public interest, may confer the powers of an Inspector to any government servant.

**11. Powers of inspectors.-** An Inspector may, within the local limits, to which he or she is appointed,-

- (a) exercise such other powers as may be prescribed by the Board;
- (b) inspect and investigate any premises, where any designated product is imported, manufactured, sold, stocked, exhibited for sale, advertised or promoted;
- (c) impose fine on the business which violate the provisions of this Act or regulations made thereunder;
- (d) seal an institute, which violate the provisions of this Act or regulations; and
- (e) seize any designated product found in violation of this Act and the regulations made thereunder.

**12. Investigation and filing of case.-** (1) After an inspection for purposes of this Act, an Inspector shall refer the case, to the Board.

(2) Upon completion of an investigation and receipt of a complete report and after giving the concerned party an opportunity of being heard, the Board, along its opinion, shall forward such report to the Ministry.

(3) The Ministry may consider the report and reduce its findings in the form of writing and in-case, the concerned party has been found guilty under the provision of this Act, such case would be forwarded to the Session Court.

**13. Punishments.-** (1) If any business or any person on its behalf contravenes or violates the provisions of this Act, shall be punishable with imprisonment which shall not be less than four years, or with fine which shall extend to five hundred thousand rupees, but shall not be less than one hundred thousand rupees or with both.

(2) If any business, commits an offence more than once, under the provisions of this Act, he shall be liable to,-

- (a) twice the punishment of imprisonment and fine, provided under sub-section (1); and
- (ii) the license of a business mentioned in sub-section (1) may be cancelled;

(3) Where, the offence is found to have been committed by a company, corporation, partnership or an institution, as a result of an institutional or operational instruction issued by it or implemented by it, such organizations, in addition to the individuals directly responsible for the commission of such offence, may be declared guilty.

**14. Cognizance of cases.-** All offences under this Act shall be non-cognizable.

**15. Trial of cases.-** No Court inferior to that of the Session Court shall have jurisdiction to try cases under this Act.

**16. Appeal.-** An appeal against the final order of the Court of Session, shall lie to the High Court within thirty days of the passing of such order.

**17. Code of Criminal Procedure and Qanun-e-Shahadat Order to apply.-** The Code of Criminal Procedure, 1898 (Act No. V of 1898) and the Qanun-e-Shahadat Order, 1984 (P.O. No. 10 of 1984), shall mutatis mutandis apply to the proceedings under this Act.

**18. Public Servants.-** The Chairperson, the members and the employees of the Board shall be deemed, when acting in the discharge of their functions under this Act, to be public servants, within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

**19. Immunity.-** No prosecution or other legal proceedings shall lie against the Federal Government, any of its officer, the Board, the Chairperson, a member or any employee of the Board for anything which is done in good faith under this Act, the rules or the regulations.

**20. Overriding effect.-** The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

**21. Power to make rules.-** The Federal Government, may make rules for carrying out the purposes of this Act.

**22. Power to make regulations.-** Subject to this Act, the Board may, make regulations to give effect to the provisions of this Act.

**23. Repeal and savings.-** (1) The Protection of Breast Feeding and Child Nutrition Ordinance, 2002 (Ordinance No. XCIII of 2002), to extent of the Islamabad Capital Territory is hereby repealed.

(2) Notwithstanding the aforesaid repeal, anything done, action taken, rules made and notification or order issued under the aforesaid Act, shall, so far as it is not inconsistent with the provisions of this Act, be deemed to have been done, taken, made or issued, under this Act and shall have effect accordingly.

#### **STATEMENT OF OBJECTS AND REASONS**

The concept of breast feeding is widely accepted and appreciated all over the world, as an infant health is associated and best served only through mother's milk and it is advisable by the paediatricians all over the world, to keep the child up to the age of two years on mother's feed. While realizing the significance of the said subject, the Federal Government introduced an Ordinance, named as the Protection of Breastfeeding and Young Child Nutrition Ordinance, 2002, but since, then, it has been not implemented in the latter and spirit. After Constitution (18<sup>th</sup> Amendment) Act, 2010, subject of health has been devolved to provinces. So, it becomes the need of hour to improve and strengthen legislation related to this subject and as health is a provincial subject, Parliament can only legislate on it only to the extent of the Islamabad Capital Territory. Hence, this bill has been introduced for promotion and support of breast feeding in the Federal Capital.

2. This bill is aimed to achieve the above-said objective.

**PROF. DR. MEHR TAJ ROGHANI**  
**Member-In-Charge**

## SENATE BILL NO. LXXXIX OF 2023

**A  
Bill**

*further to amend the Provincial Motor Vehicles Ordinance, 1965*

**WHEREAS** it is expedient further to amend the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ordinance XIX of 1965) in its application to the extent of Islamabad Capital Territory;

It is hereby enacted as follows:-

**1. Short title and commencement.**—(1) This Act may be called the Provincial Motor Vehicles (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Insertion of new section 101-A, Ordinance No. XIX of 1965.**— In the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ordinance XIX of 1965), after section 101, the following new section shall be inserted, namely:-

**"101-A. Use of mobile telephones.**— (1) A person shall not drive a motor cycle or motor vehicle if he is using a hand-held mobile telephone or a device which performs an interactive communication function of transmitting and receiving data.

(2) A person shall not be guilty of contravention of sub-section (1) if, at the time of the alleged contravention, he is-

- (b) using the mobile telephone or the device to call the police, fire, ambulance or other emergency service; or
- (a) acting in response to an emergency."

**STATEMENT OF OBJECTS AND REASONS**

According to the data of Islamabad Traffic Police, 13,747 drivers had been fined in the year 2021, against using mobile phones while driving. The data shows that there is an increasing trend especially amongst the youth to use their phones to text, voice calls and for video making while driving motor vehicles which sometimes leads to a harmful situation. Therefore, it is hereby proposed to add a new section to ban such practice and impose fines on the violators.

2. This bill seeks to achieve the above said purposes.

**SENATOR SHAHADAT AWAN**  
Member-in-charge

SENATE BILL NO. XC OF 2023

A

Bill

*further to amend the Pakistan Penal Code, 1860*

WHEREAS it is expedient further to amend the Pakistan Penal Code, 1860 (XLV of 1860), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Pakistan Penal Code (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of section 377A, Act XLV of 1860. -** In the Pakistan Penal Code, 1860 (XLV of 1860), in section 377A the words "**where age of person is less than eighteen years**" shall be omitted.

**STATEMENT OF OBJECTS AND REASONS**

The existing section 377A of the Pakistan Penal Code, merely addresses the offence of sexual abuse against a person who is below the age of eighteen years. Due to the facts on ground, such provision is also required for the persons above the age of eighteen years as well.

2 The proposed amendment aims to provide the above said objective.

SENATOR SHAHADAT AWAN,  
*Member-in-Charge.*

P

MOHAMMAD QASIM SAMAD KHAN,  
*Secretary.*