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PART III

Other Notifications, Orders, etc.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 31st January, 2020

No. F. 22(8)2020-Legis.—The following Bills have been introduced in the National Assembly on 31st January, 2020

N. A. BILL NO. 28 OF 2020

A Bill further to amend the Anti-terrorism Act, 1997

WHEREAS it is expedient to further amend the Anti-terrorism Act, 1997 (XXXVII of 1997) for the purposes hereinafter appearing;

It is hereby enacted as under:—

1. **Short title and commencement.**— (1) This Act may be called the Anti-terrorism (Amendment) Bill, 2020,

(2) It shall come into force at once.

2. **Amendment of section 2, XXVII of 1997.**— In the Anti-terrorism Act, 1997 (XXVII of 1997), hereinafter referred to as “the Act”, in section 2, the existing clause (pa) shall be re-numbered as clause (paa) and before the aforesaid re-numbered clause the following new clause shall be inserted, namely:—

217(1—8)

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[5137(2020)/Ex. Gaz.]

“(pa) ‘Person’ means any natural or legal person including government body, autonomous or semi-autonomous entity, regulatory authority, body corporate partnership association, trust, agency or any other undertaking responsible for caring out the purposes of this Act”.

3. **Amendment of section 11O, Act XXVII of 1997.**— In the Act, in section ‘11O,—

- (a) in sub-section (2), the words “to penalty of fine not exceeding ten million rupees” the words “on conviction to a term not exceeding ten years or with fine not exceeding twenty-five million rupees or with both” shall be substituted;
- (b) in sub-section (3), for the word “to penalty of fine not exceeding ten million rupees and every director, officer or employee of such person found guilty of the violation shall be punished in terms thereof”, the words “on conviction to fine not exceeding fifty million rupees and every director, officer or employees of such person found guilty of the violation shall be liable on conviction to a term not exceeding ten years or with fine not exceeding twenty five million rupees or with both” shall be substituted; and
- (c) after sub-section (3), the following new sub-section shall be inserted, namely—

“(4) Notwithstanding anything contained in sub-section (2), if any public servant is found negligent in complying with the provision of sub-section (1) such public servant shall be proceeded against under respective service rules for administrative action.”.

4. **Insertion of section 11OOO, Act XXVII of 1997.**— In the Act, after section 11OO, the following new section shall be inserted namely:—

“11OOO. Violation of UN Security Council Resolutions.— (1) A person is guilty of an offence if he, in any way whatsoever, refuses or fails to comply with the orders of the Federal Government under section 2 of United Nations (Security Council) Act, 1948 (XIV of 1948).

(2) A person guilty of an offence under sub-section (1), shall be liable to conviction to imprisonment for a term not exceeding ten years or with fine not exceeding twenty-five million rupees or with both.

(3) If a legal person commits an offence under sub-section (1), such person shall be liable on conviction to fine not exceeding fifty million rupees and every director, officer or employee of such legal person found guilty of the violation shall be liable on conviction to imprisonment for a term not exceeding ten years or with fine not exceeding twenty five million rupees or with both”.

(4) Notwithstanding anything contained in sub-section (2), of 11000, if any public servant is found negligent in complying with the provisions of sub-section (1), such public servant shall be proceeded against under respective service rules for administrative action.”.

STATEMENT OF OBJECTS AND REASONS

The Anti-Terrorism Act (ATA), 1997, though comprehensive in its scope, lacks certain provisions in relation to the implementation of United Nations Security Council Resolutions (UNSCRs) 1267 and 1373. The UNSCRs 1267 and 1373 were adopted under Article 41 of Chapter-VII of the United Nations Charter making them obligatory for all members of the United Nations. Through UNSCR 1267, member states of the United Nations implement the sanctions measures of assets freeze (targeted financial sanctions), arms embargo and travel ban on the entities and individuals who are designated on the sanctions list. UNSCR 1373 requires member states to implement counter terrorism measures, especially countering the financing of terrorism through their domestic laws. The above obligation is implemented in Pakistan through Anti-Terrorism Act, 1997. The penalties already provided in the said Act are not dissuasive for violations of assets seizure provision in section 11-O and the provided amount of fine is insufficient.

IJAZ AHMAD SHAH,
Minister for Interior.

N.A BILL NO. 29 OF 2020

A

Bill

further to amend the Post Office Cash Certificate Act, 1917

WHEREAS it is expedient to amend the Post Office Cash Certificate Act, 1917 (XVIII of 1917), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Post Office Cash Certificate (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XVIII of 1917.**— In the Post Office Cash Certificate Act, 1917 (XVIII of 1917), hereinafter referred to as the said Act, in section 2, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

3. **Amendment of section 4, Act V of 1873.**— In the said Act, in section 3, proviso occurring for the first time, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

4. **Amendment of section 14, Act V of 1873.**— In the said Act, in section 14, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

This legislation is designed to amend “The Post Office Cash Certificate Act, 1917” in order to comply with the instructions of Cabinet Division *vide* u.o. No. 19/CM/2017-D dated 24-11-2017 stating “All Ministries and Divisions should in consultation with Law and Justice Division, make amendments in the respective Acts/Rules and replace the words ‘Federal Government’ with appropriate Authority (ies)”.

Adviser to Prime Minister
on Finance & Revenue.

N.A BILL NO. 30 OF 2020

A

BILL

further to amend the Post Office National Savings Certificates Ordinance, 1944

WHEREAS it is expedient to amend the Post Office National Savings Certificates Ordinance, 1944 (XLII of 1944), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Post Office National Savings Certificates (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 3, Act XLII of 1944.**— In the Post Office National Savings Certificates Ordinance, 1944, hereinafter referred to as the said Act, in section 3, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

3. **Amendment of section 4, Act XLII of 1944.**— In the said Act, in section 4, in the proviso occurring for the second time, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

This legislation is designed to amend “The Post Office National Savings Certificates Ordinance, 1944” in order to comply with the instructions of Cabinet Division *vide* u.o. No. 19/CM/2017-D dated 24-11-2017 stating “All Ministries and Divisions should in consultation with Law and Justice Division, make amendments in the respective Acts/Rules and replace the words ‘Federal Government’ with appropriate Authority (ies)”.

Adviser to Prime Minister
on Finance & Revenue.

N.A BILL NO. 31 OF 2020

A

BILL

further to amend the Government Savings Bank Act, 1873

WHEREAS it is expedient to amend the Government Savings Bank Act, 1873 (V of 1873), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Government Savings Bank (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 3, Act V of 1873.**— In the Government Savings Bank Act, 1873 (V of 1873), hereinafter referred to as the said Act, in section 3, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

3. **Amendment of section 4, Act V of 1873.**— In the said Act, in section 4, in sub-section (5), in clause (c) for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

4. **Amendment of section 14, Act V of 1873.**— In the said Act, in section 14, for the words “Federal Government”, the expression “Finance Division with the approval of the Minister-in-charge” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

This legislation is designed to amend “The Government Savings Bank Act, 1873” in order to comply with the instructions of Cabinet Division *vide* u.o. No. 19/CM/2017-D dated 24-11-2017 stating “All Ministries and Divisions should in consultation with Law and Justice Division, make amendments in the respective Acts/Rules and replace the words ‘Federal Government’ with appropriate Authority (ies)”.

Adviser to Prime Minister
on Finance & Revenue.

N.A BILL NO. 32 OF 2020

A

BILL

further to amend the Emigration Ordinance, 1979

WHEREAS it is expedient further to amend the Emigration Ordinance, 1979 (XVIII of 1979), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act shall be called the Emigration (Amendment) Act, 2020.

(2) It shall come into force at once.

2. **Amendment of section 2, Ordinance XVIII of 1979.**— In the Emigration Ordinance, 1979 (XVIII of 1979), hereinafter referred to as the said Ordinance, in section 2, in sub-section (2), for the words “Federal Government”, the words “Secretary of the Division concerned” shall be substituted.

3. **Amendment of section 3, Ordinance XVIII of 1979.**— In the said Ordinance, in section 3, in sub-section (1), for the words “Federal Government”, the words “Prime Minister or a person authorized by him” shall be substituted.

4. **Amendment of section 4A, Ordinance XVIII of 1979.**— In the said Ordinance, in section 4A, for the words “Federal Government”, the words “Secretary of the Division concerned” shall be substituted.

5. **Amendment of section 5, Ordinance XVIII of 1979.**— In the said Ordinance, in section 5, for the words “Federal Government”, the words “Secretary of the Division concerned” shall be substituted.

11. **Amendment of section 14, Ordinance XVIII of 1979.**— In the said Ordinance, in section 14,-

- (a) in sub-sections (1), for the words “Federal Government”, wherever occurring, the words “Secretary of the Division concerned” shall be substituted; and
- (b) in sub-sections (2), for the words “Federal Government”, occurring twice, the words “Secretary of the Division concerned” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Ministry of Overseas Pakistanis and Human Resource Development (OP&HRD) regulates the export of manpower abroad through Emigration Ordinance, 1979. The Bill seeks to amend the Emigration Ordinance, 1979 (XVIII of 1979). The *ibid* Ordinance confers powers to the Federal Government to carry out official business which are meant to be disposed of at Ministry’s level. In terms of the Judgment of the Honourable Supreme Court, in *Mustafa Impex VS Government of Pakistan* (Civil Appeal No.1428-1436 of 2016), the

term Federal Government has been defined as Federal Cabinet. Hence, disposal of routine matters of the Mo-) OP&HRD take lengthy procedure and time for day to day business of the Ministry by presenting the cases before the Federal Cabinet. The word Federal Government requires to be substituted with appropriate authority in terms of the decision of the Federal. Cabinet dated 24-11-2017, which have been specified in the proposed. Emigration Ordinance (Amendment) Bill, 2019.

2. The Bill seeks to achieve the aforesaid objects.

MINISTER-IN-CHARGE,
*Ministry of Overseas Pakistanis and
Human Resource Development.*

TAHIR HUSSAIN,
Secretary.