ISLAMABAD, SATURDAY, MAY 4, 2019

PART III

Other Notifications, Orders, etc.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 22nd April, 2019

No. F. 22(9)/2019-Legis.—The following Bills have been introduced in the National Assembly on 22nd April, 2019:—

N. A. Bill No. 8 of 2019

A

Bill

further to amend the Foreign Exchange Regulation Act, 1947

WHEREAS it is expedient further to amend the Foreign Exchange Regulation Act, 1947 (VII of 1947) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Foreign Exchange Regulation (Amendment) Act, 2019.

   (1)

   Price : Rs. 40.00

[689(2019)/Ex. Gaz.]
2. **Insertion of new section 8A, Act VII of 1947.**—In the Foreign Exchange Act, 1947 (Act VII of 1947), hereinafter referred to as the said Act, after section 8, the following new section shall be inserted, namely:

> “8A. Movement of foreign currency within Pakistan.—Except as may otherwise be directed by the State Bank, any person shall be free to move or transfer foreign currency, physically or otherwise, within Pakistan.”.

3. **Amendment of Section 23, Act VII of 1947.**—In the said Act, in section 23,—

   (a) In sub-section (1),—

   (i) after the word “with”, the word “rigorous” shall be inserted;

   (ii) for the word “two”, the word “five” shall be substituted; and

   (iii) for the expression “may, if it thinks fit, and”, the word “shall” shall be substituted;

   (b) in sub-section (2) the expression “for such period as the Federal Government may from time to time, by notification in the official Gazette, declare” shall be omitted;

   (c) in sub-section (3),—

   (i) the expression “and not declared by the Federal Government under the preceding sub-section to be cognizable for the time being” shall be omitted; and

   (ii) in the proviso the expression “and is not declared by the Federal Government under the preceding sub-section to be cognizable for the time being” shall be omitted and for the full stop, at the end, a colon shall be substituted and thereafter the following new proviso shall be added, namely:—

   “Provided further that if a person not authorized under section 3, 3A or 3AA is found involved in illegal foreign exchange business including sale, purchase, exchange or transfer of foreign currency, physically or otherwise, the complaint as required in this sub-section shall not be required.”; and
(d) after sub-section (3A) the following new sub-section shall be inserted, namely:

“(3B) A Tribunal taking cognizance under sub-section (1) shall conclude the proceedings within six months. The Tribunal may, by giving cogent reasons in writing, extend the said period by six months further.”.

STATEMENT OF OBJECTS AND REASONS

Foreign exchange policy and operations in Pakistan are governed under the provisions of Foreign Exchange Regulation Act, 1947 (FERA, 1947), which empowers the State Bank of Pakistan to regulate flows of foreign exchange into and out of the country. However, the State Bank of Pakistan does not have explicit powers under FERA, 1947 to issue any regulation/ instruction relating to the inland movement of foreign currencies.

Furthermore, it has also been considered necessary to enhance the punishments provided in section 23 of FERA, 1947 to create firmer deterrence against contravention of various provision of the Act.

This Bill, therefore, seeks to amend FERA, 1947 in order to enable the State Bank of Pakistan to regulate the foreign exchange regime in Pakistan more comprehensively as well as to strengthen the effectiveness of the Act.

ASAD UMAR,
Minister for Finance, Revenue and Economic Affairs.

N. A. BILL NO. 9 OF 2019

A BILL

further to amend the Anti-Money Laundering Act, 2010 for the purposes hereinafter appearing

WHEREAS it is expedient further to amend the Anti-Money Laundering Act, 2010 (VII of 2010) for the purposes herein after appearing;

It is hereby enacted as under:—
1. **Short title and commencement.**—(1) This Act may be called the Anti-Money Laundering (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of section 4, Act VII of 2010.**—In the Anti-Money Laundering Act, 2010 (VII of 2010), hereinafter referred to as “the Act”, in section 4 for the words “not be less than one year but may extend to” the words “be upto” shall be substituted and for the words “one million” the words “five million” shall be substituted.

3. **Amendment of section 6, Act VII of 2010.**—In the Act, in section 6, in Sub-section (4), in clause (e), the words “after due administrative process” shall be omitted.

4. **Amendment of section 7, Act VII of 2010.**—In the Act, in section 7,—

(a) in sub-section (1) in the proviso for the words and comma, “immediately, but not later than seven working days after forming that suspicion” the word “promptly” shall be substituted; and

(b) in sub-section (4) for the word “five” the word “ten” shall be substituted.

5. **Amendment of section 8, Act VII of 2010.**—In the Act, in section 8, in sui-section (1), for the word “ninety” the words “one hundred and eighty” shall be substituted and after the full stop at the end the following shall be added, namely:—

“Provided that the Court may grant further extension for a period upto one year.”.

6. **Amendment of section 9, Act VII of 2010.**—In sub-section (5), for the word “or” occurring for the first time, the word “and” shall be substituted.

7. **Amendment of section 16, Act VII of 2010.**—In the Act, in section 16, for the sub-section (1) the following shall be substituted:

“(l) An Investigating Officer authorized under sub-section (2) of section 24, having on the basis of material in his possession, reason to believe (reason for such belief to be recorded in writing) that any person has been guilty of an offence punishable under this Act, he may arrest such person and shall, as soon as may be, inform him of the grounds for such arrest”.
8. **Amendment of section 21, Act VII of 2010.—**In the Act, in section 21,—

(a) in the heading, for the word “non-cognizable” the word “cognizable” shall be substituted;

(b) in sub-section (1), in clause (a), for the word “non-cognizable” the word “cognizable” shall be substituted; and

(c) sub-section (3), after the letters “FMU” the words “or Investigating or Prosecuting Agency” shall be inserted.

9. **Amendment of section 33, Act VII of 2010.—**In section 33, in sub-section (1) for. The words “three” and “one” the words “five” and “five” shall respectively be substituted.

10. **Amendment of section 34, Act VII of 2010.—**In section 34 in sub-section (2) for the words “three” and “five hundred thousand” the words “five” and “two million” shall respectively be substituted.

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**STATEMENT OF OBJECTS AND REASONS**

In order to bring further improvements in the Anti-Money Laundering Act, 2010 (AML Act) and in line with suggestions of AML/CFT stakeholders particularly Law Enforcement Agencies responsible for the enforcement of AML Act, 2010, amendments in the AML Act, 2010 are being proposed. The proposed amendments will reflect the Government’s firm resolve to strengthen its Anti-Money Laundering regime. These amendments are aimed at streamlining the existing AML law in line with international standards and suggest enhancing the punishment of offence of money laundering to make it more dissuasive and deterrent. The amendments suggest to make the offence punishable under the AML Act, 2010 as “cognizable offence”. These amendments would also allow Financial Monitoring Unit to seek Egmont Group Membership (Group of Financial Intelligence Unit) which is the requirement under the Financial Action Task Force Recommendations.

**ASAD UMAR,**  
*Minister for Finance, Revenue and Economic Affairs.*
WHEREAS it is expedient further to amend the Control of Narcotic Substances (XXV of 1997), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Control of Narcotic Substances (Amendment) Act, 2019.

(2) It shall come into force at once.

2. **Amendment of preamble, Act XXV of 1997.**—In the Control of Narcotic Substances Act, 1997 (XXV of 1997), hereinafter referred to as the said Act, in the preamble, in first paragraph,—

(a) After the word “substances,” occurring for the first time, the words “controlled substances” shall be inserted; and

(b) for the words “and substances”, occurring at the end, the expression, to provide for forfeiture of property derived from, or used in illicit traffic in narcotic drugs, psychotropic substances and controlled substances and to implement the provisions of the international conventions on narcotic drugs, psychotropic substances and controlled substances” shall be inserted.

3. **Amendment of section 2, Act XXV of 1997.**—In the said Act, in section 2,—

(a) in. clause (c), in paragraph (iii), for the expression “Companies Ordinance, 1984 (XLVII of 1984), the expression “Companies Act, 2017 (XIX of 2017) and the Limited Liability Partnership Act, 2017 (XV of 2017)” shall be substituted;

(b) in clause (d), in paragraph (ii), after the word “known”, the words “and include all forms known as *bhang, siddhi or ganja*” shall be inserted;

(c) in clause (k), after the word “substance” occurring at the end, the expression “or which is declared to be a controlled substance and
given in the Schedule-II pursuant to the provision of any international convention, and by notification in the official Gazette by the Division concerned,”, shall be inserted;

(d) after clause (o), the following new clauses shall be inserted, namely:—

“(oa) “illicit traffic” in relation to narcotic drugs, psychotropic substances or controlled substances means—

(i) cultivating any coca plant or gathering any portion of cocoa plant;

(ii) cultivating the opium poppy or any cannabis plant or gathering in any portion of opium poppy or cannabis plant;

(iii) engaging in the production, manufacture, possession, sale, purchase, transportation, warehousing, concealment, use or consumption, import into Pakistan, export from Pakistan or transshipment any narcotic drugs or psychotropic substances or controlled substances;

(iv) dealing in any activities in narcotic drugs or psychotropic substances or controlled substances other than those referred to in sub-clauses (i) to (iii); or

(v) handling or letting out any premises for the carrying on of any of the activities referred to in sub-clauses (i) to (iv);

(vi) financing directly or indirectly any of the aforementioned activities;

(vii) abetting or conspiring in the furtherance of or in support of doing any of the aforementioned activities; and

(viii) harboring persons engaged in any of the aforementioned activities;

(ob) “international convention” means—

(ii) the Convention Against Psychotropic Substances done at Vienna on the 21st February, 1971;

(iii) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances done at Vienna on the 20th December, 1988; and

(iv) any other international convention to which Pakistan may become party in future relating in whole or in part to the control of drugs of abuse, controlled chemicals or controlled equipments;

(e) in clause (za), for the word “Schedule”, the expression “Schedule-I” shall be substituted;

4. Amendment of section 4, Act XXV of 1997.—In the said Act, in section 4, after the word “cultivate”, the words “or let his land for cultivation or give possession for cultivation of” shall be inserted.

5. Amendment of section 5, Act XXV of 1997.—In the said Act, in section 5, for the expression “, or with fine, or with both”, the words “but shall not be less than one year and also be liable to fine” shall be substituted.

6. Substitution of section 9, Act XXV of 1997.—In the said Act, for section 9, the following shall be substituted, namely:

“9. Punishment for contravention of sections 6, 7 and 8.—(1) Whoever contravenes the provisions of sections 6, 7 and 8 regarding narcotic drugs shall be punished with punishment as given in column (3) of the TABLE with regard to offense committed as mentioned in column (2) of the thereof,—

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Offence</th>
<th>Type of Narcotics</th>
<th>Quantity</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Bhang</td>
<td>(a) Up to 999 grams</td>
<td>(2)</td>
<td>(3)</td>
</tr>
</tbody>
</table>

Imprisonment which may extend to three years but shall not be less than six months along with fine which may be up to ten thousand rupees.
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) 1000 grams to 9999 grams</td>
<td>imprisonment which may extend to seven years but shall not be less than three years along-with fine which may be up to one hundred thousand rupees but not less than ten thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(c) 10000 grams to 19999 grams.</td>
<td>imprisonment which may extend to fourteen years but shall not be less than seven years along-with fine which may be up to two hundred thousand rupees but not less than one hundred thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(d) 20000 grams or more</td>
<td>imprisonment which may extend to life imprisonment but shall not be less than fourteen years along-with fine which shall not be less than two hundred thousand rupees.</td>
</tr>
<tr>
<td>2</td>
<td>Post or Poppy Straw</td>
<td>(a) Up to 999 grams</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(b) 1000 grams to 9999 grams</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(c) 10000 grams to 14999 grams</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(d) 15000 grams or more</td>
</tr>
<tr>
<td>3</td>
<td>Charas</td>
<td>(a) Up to 499 grams</td>
</tr>
<tr>
<td></td>
<td>4 Hashish Oil and Liquid Hashish</td>
<td>(a) Up to 499 grams</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>(b) 500 grams to 999 grams</td>
<td></td>
<td>imprisonment which may extend to fourteen years but shall not be less than seven years along-with fine which may be up to eighty thousand rupees but not less than forty thousand rupees.</td>
</tr>
<tr>
<td>(c) 1000 grams to 4999 grams</td>
<td></td>
<td>imprisonment which may extend to twenty years but shall not be less than fourteen years along-with fine which may be up to four hundred thousand rupees but not less than eighty thousand rupees.</td>
</tr>
<tr>
<td>(d) 5000 grams to 9999 grams</td>
<td></td>
<td>imprisonment which may extend to life imprisonment but shall not be less than twenty years along-with fine which shall not be less than four hundred thousand rupees.</td>
</tr>
<tr>
<td>(e) 10000 grams or more</td>
<td></td>
<td>imprisonment which may extend to life imprisonment but shall not be less than twenty years along-with fine which shall not be less than four hundred thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>Opium</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-------------</td>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>5</td>
<td>(a) Up to 499 grams</td>
<td>Imprisonment which may extend to six years but shall not be less than one year along-with fine which may be up to fifty thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(b) 500 grams to 999 grams</td>
<td>Imprisonment which may extend to nine years but shall not be less than six years along-with fine which may be up to one hundred thousand rupees but not less than fifty thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(c) 1000 grams to 2999 grams</td>
<td>Imprisonment which may extend to twelve years but shall not be less than nine years along-with fine which may be up to three hundred thousand rupees but not less than one hundred thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(d) 3000 grams to 4999 grams</td>
<td>Imprisonment which may extend to fifteen years but shall not be less than twelve years along-with fine which may be up to five hundred thousand rupees but not less than three hundred thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(e) 5000 grams to 7999 grams</td>
<td>Imprisonment which may extend to twenty years but shall not be less than fifteen years along-with fine which may be up to eight hundred thousand rupees but not less than five hundred thousand rupees.</td>
</tr>
<tr>
<td></td>
<td>(f) 8000 grams or more</td>
<td>Imprisonment which may extend to life imprisonment but shall not be less than twenty years along-with fine which shall not be less than eight hundred thousand rupees.</td>
</tr>
<tr>
<td>6</td>
<td>Heroin and Morphine</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(a) Up to 99 grams</td>
<td>Imprisonment which may extend to seven years but shall not be less than eighteen months along-with fine which may be up to twenty five thousand rupees.</td>
</tr>
</tbody>
</table>
|   | (b) 100 grams to 499 grams | Imprisonment which may extend to ten years but shall not be less than seven years along-with fine which may be up to one hundred and
<table>
<thead>
<tr>
<th>Cocaine</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Up to 99 grams</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) 100 grams to 999 grams</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) 1000 grams to 4999 grams</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) 5000 grams or more</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(c) 500 grams to 1999 grams

imprisonment which may extend to fourteen years but shall not be less than ten years along-with fine which may be up to five hundred thousand rupees but not less than one hundred and twenty five thousand rupees.

(d) 2000 grams to 3999 grams

imprisonment which may extend to twenty years but shall not be less than fourteen years along-with fine which may be up to one million rupees but not less than five hundred thousand rupees.

(e) 4000 grams or more

imprisonment which may extend to life imprisonment but shall not be less than twenty years along-with fine which shall not be less than one million rupees.

(a) Up to 99 grams

imprisonment which may extend to seven years but shall not be less than eighteen months along-with fine up to fifty thousand rupees.

(b) 100 grams to 999 grams

imprisonment which may extend to fifteen years but shall not be less than seven years along-with fine which may be up to five hundred thousand rupees but not less than fifty thousand rupees.

(c) 1000 grams to 4999 grams

imprisonment which may extend to twenty years but shall not be less than fifteen years along-with fine which may be up to two million and five hundred thousand rupees but not less than five hundred thousand rupees.

(d) 5000 grams or more

imprisonment which may extend to life imprisonment but shall not be less than twenty years along-with fine which shall not be less than two million and five hundred thousand rupees.

twenty five thousand rupees but not less than twenty five thousand rupees.
Provided that if an offense is committed relating to narcotic drug inside or near a school, college, university, educational setting or any other educational institution maximum punishment provided for that offence shall be awarded:

Provided further that if any person who has previously been convicted for any offence under this Act is subsequently convicted for the offence relating to narcotic drug, he shall be convicted with maximum punishment provided or that offence.

(2) Whoever contravenes the provisions of sections 6, 7 and 8 regarding psychotropic substances shall be punished with punishment as given in column (3), of the TABLE with regard to quantity of psychotropic substances given in column (2) thereof,—

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Offense with regard to quantity of psychotropic substance</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Up to 20 grams</td>
<td>imprisonment which may extend to one year but shall not be less than two months along-with fine which may be up to twenty five thousand rupees.</td>
</tr>
<tr>
<td>2</td>
<td>More than 20-grams and up to 50 grams</td>
<td>imprisonment which may extend to two years but shall not be less than one year along-with fine which may be up to fifty thousand rupees.</td>
</tr>
<tr>
<td>3</td>
<td>More than 50-grams and up to 100 grams.</td>
<td>imprisonment which may extend to three years but shall not be less than two years along-with fine which may be up to one hundred thousand rupees.</td>
</tr>
<tr>
<td>4</td>
<td>More than 100-grams and up to 500 grams.</td>
<td>imprisonment which may extend to five years but shall not be less than three years along-with fine which may be up to two hundred thousand rupees.</td>
</tr>
<tr>
<td>5</td>
<td>More than 500 grams and up to one Kilo gram</td>
<td>imprisonment which may extend to seven years but shall not be less than five years along-with fine which may be up to four hundred thousand rupees.</td>
</tr>
<tr>
<td>6</td>
<td>More than one Kilo grams and up to two Kilo grams</td>
<td>imprisonment which may extend to ten years but shall not be less than seven years along-with fine which may be up to six hundred thousand rupees.</td>
</tr>
</tbody>
</table>
More than two Kilo grams and up to three Kilo grams. Imprisonment which may extend to fourteen years but shall not be less than ten years along-with fine which may be up to eight hundred thousand rupees.

More than three Kilo grams and up to four Kilo grams imprisonment which may twenty years but shall not be less than fourteen years along-with fine which may be up to nine hundred thousand rupees.

Exceeding four Kilo grams imprisonment shall not be less than life imprisonment along-with fine which shall not be less than one million rupees.

Provided that if any offence is committed relating to psychotropic substance inside or near a school, college, university, educational setting or any other educational institution, he shall be punishable with maximum punishment provided for that offence:

Provided further that if any person who has previously been convicted for any offence under this Act is subsequently convicted for the offence relating to psychotropic substance and quantity does not exceed two kilograms than he shall be convicted with maximum punishment provided for that offence:

Provided also that if the quantity of psychotropic substance in subsequent offence exceeds two kilograms, the punishment shall not be less than life imprisonment.

(3) Whoever contravenes the provisions of sections 6, 7 and 8 regarding controlled substances shall be punishable with punishment given in column (3) of the TABLE below with regard to offense committed as mentioned in column (2) thereof,—

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Offense with regard quantity of Controlled Substances</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Up to 100 grams</td>
<td>imprisonment which may extend to six months but shall not be less than two months along-with fine which may be up to twenty five thousand rupees.</td>
</tr>
</tbody>
</table>
2. More than 100 grams and up to 500 grams. **Imprisonment which may extend to one year but shall not be less than six months along-with fine which may be up to fifty thousand rupees.**

3. More than 500 grams and up to one Kilo grams. **Imprisonment which may extend to three years but shall not be less than one year along-with fine which may be up to one hundred thousand rupees.**

4. More than one Kilo grams and up to two Kilo grams. **Imprisonment which may extend to five years but shall not be less than three years along-with fine which may be up to one hundred and fifty thousand rupees.**

5. More than two Kilo grams and up to five Kilo grams. **Imprisonment which may extend to seven years but shall not be less than five years along-with fine which may be up to three hundred thousand rupees.**

6. More than five Kilo grams and up to seven Kilo grams. **Imprisonment which may extend to ten years but shall not be less than seven years along-with fine which may be up to five hundred thousand rupees.**

7. More than seven Kilo grams and up to ten Kilo grams. **Imprisonment which may extend to fourteen years but shall not be less than ten years along-with fine which may be up to seven hundred thousand rupees.**

8. Exceeding ten Kilo grams. **Imprisonment shall not be less than life imprisonment along-with fine which may be up to one million rupees.**

**TABLE-II**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Offense with regard quantity of Controlled Substances</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Up to one Kilo grams</td>
<td>Imprisonment which may extend to six months but shall not be less than two months along-with fine which may be up to ten thousand rupees.</td>
</tr>
<tr>
<td>2.</td>
<td>More than one Kilo grams and up to three Kilo grams.</td>
<td>Imprisonment which may extend to one year but shall not be less than six months along-with fine which may be up to fifty thousand rupees.</td>
</tr>
</tbody>
</table>
3. More than three Kilo grams and up to five Kilo grams | imprisonment which may extend to three years but shall not be less than one year along-with fine which may be up to one hundred thousand rupees.
4. More than five Kilo grams and up to ten Kilo grams | imprisonment which may extend to five years but shall not be less than three years along-with fine which may be up to two hundred thousand rupees.
5. More than ten Kilo grams and up to twenty Kilo grams | imprisonment which may extend to seven years but shall not be less than five years along-with fine which may be up to three hundred thousand rupees.
6. More than twenty Kilo grams and up to thirty Kilo grams. | imprisonment which may extend to ten years but shall not be less than five years along-with fine which may be up to five hundred thousand rupees.
7. More than thirty Kilo grams and up to fifty Kilo grams. | Imprisonment which may extend to fourteen years but shall not be less than ten years along-with fine which may be up to seven hundred thousand rupees.
8. Exceeding fifty Kilo grams. | imprisonment shall not be less than life imprisonment along-with fine which may be up to one million rupees.

Provided that if any person who has previously been convicted for any offence under this Act, is subsequently convicted for the offence relating to controlled substances and quantity does not exceed from six kilograms then he shall be convicted with maximum punishment provided for that offence:

Provided further that when the quantity of controlled substances in subsequent offence exceeds from six kilograms the accused shall be punished not less than life imprisonment:

Provided further also that if any accused is found guilty of trafficking narcotic drug, psychotropic substance or controlled substance into Pakistan or from Pakistan, he shall be convicted with maximum punishment provided for that offence.

9(A). Remissions.—(1) Notwithstanding anything contained in any other law or prison rules for the time being in force, no remissions in any sentence shall be allowed to a person, who is convicted under this Act:

Provided that in case of a juvenile or female convicted and sentenced for an offence under this Act, remission, may be granted as deemed appropriate by the Federal Government.
(2) Notwithstanding anything contained in any law or rules for the time being in force, neither probation in any sentence shall be allowed nor any accused convicted under this Act shall be released on parole:

Provided that if the convicted accused is a juvenile or female, he can be released on probation on parole as per relevant laws and rules.

(3) Notwithstanding anything contained in any other law for time being in force, imprisonment for life under this Act means imprisonment in jail for the period of twenty five years.”.

7. Amendment of section 16, Act XXV of 1997.—In the said Act, in section 16, for the words and commas “one year, or with fine which may extend to five thousand rupees, or with both”, the words “three years and fine” shall be substituted.

8. Amendment of section 17, Act XXV of 1997.—In the said Act, in section 17, for the words and comma “, three years, or with fine or with both” the words “three years and fine but shall not be less than one year and fine” shall be substituted.

9. Amendment of section 19, Act XXV of 1997.—In the said Act, in section 19, for the words “a term exceeding three years”, the words “for one year or above” shall be substituted.

10. Amendment of section 23, Act XXV of 1997.—In the said Act, in section 23, for the figure “19”, the figure “21” shall be substituted.

11. Amendment of section 31, Act XXV of 1997.—In the said Act, in section 31,—

(a) after the word “enquiry”, the words “or investigation” shall be inserted; and

(b) after sub-section (1), the following new sub-section shall be added, namely;—

“2 Notwithstanding anything contained in any provision of Income Tax Ordinance 2001 (XLI of 2001), Sales Tax Act 1990, Federal Excise Act 2005 or any other law for the time being in force relating to information, submitted by any person with respect to tax purposes, no government department or authority shall refuse to provide documents and information called by the officer authorized under this Act”.

“2. Notwithstanding anything contained in any provision of Income Tax Ordinance 2001 (XLI of 2001), Sales Tax Act 1990, Federal Excise Act 2005 or any other law for the time being in force relating to information, submitted by any person with respect to tax purposes, no government department or authority shall refuse to provide documents and information called by the officer authorized under this Act”.

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12. Amendment of section 32, Act XXV of 1997.—In the said Act, in section 32, in sub-section 2, after the proviso, for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided further that if any currency whether local or foreign or any valuable item having monetary value used for the commission of the offence under this Act is seized shall be confiscated along-with other articles.”.

13. Amendment of section 33, Act XXV of 1997.—In the said Act, in section 33, in sub-section (4), for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that Federal Government may exempt any narcotic drugs, psychotropic substance and controlled substance for disposal under section 516-A of the Code by making rules under this Act.”.

14. Amendment of section 37, CNS Act XXV of 1997.—In the said Act, in section 37, in sub-section (2), for The word “seven” The word “Thirty” shall be substituted”.

15. Amendment of section 39, Act XXV of 1997.—In the said Act, in section 39,—

(a) in sub-section (1), for the words “more than three years”, the words “one year or more” shall be substituted; and

(b) in sub-section (2), after the word “Government”, the words “and shall vest in that Government free from all encumbrances” shall be added.

16. Insertion of section 40A, Act XXV of 1997.—In the said Act, after section 40, the following new section shall be inserted, namely:—

“40A. Jurisdiction of special court.—No Court other than Special Court established under this Act shall have the power to entertain any suit or claim relating to the property, which is pending for adjudication before the Special Court for the purpose of forfeiture of….. under section 39 or section 40.”.

17. Amendment of section 45, Act XXV of 1997.—In the said Act, in section 45; after the word “Act” at the end, the following expression shall be inserted, namely:—

“and when trying an offence under this Act, a Special Court may also try an offence other than an offence under this Act when so authorized by Federal
Government in this regard and with which the accused may, under the Code of Criminal Procedure, 1898 (Act V of 1898), be charged jointly at the same trial” —

18. Amendment of section 49, Act XXV of 1997.—In the said Act, in sub-section (3), for the words “Special Court comprising a” shall be omitted.

19. Insertion of new section 49A, Act XXV of 1997.—In the said Act, after section 49, the following new section shall be inserted, namely:

“49A. Remand.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898) or any law for the time being in force the person arrested under this Act shall, having regard to the facts and circumstances of the case be liable to be detained in custody for the purpose of inquiry and investigation for a period not exceeding ninety days and court may remand an accused person to custody not exceeding fifteen days at a time and for every subsequent remand, the court shall record reasons in writing.”.

20. Amendment of section 50, Act XXV of 1997.—In the said Act, in section 50, in sub-section (1), for the word “and” occurring for the third time the words “any Appellate Court” shall be inserted.

21. Amendment of section 59, Act XXV of 1997.—In the said Act, in section 59, in sub-section (1), for the figure “60”, the figure “58” shall be substituted.

22. Amendment of section 61, Act XXV of 1997.—In the said Act, in section 61, in sub-section (1), for the figure “62”, the figure “57” shall be substituted.

23. Amendment of section 62, Act XXV of 1997.—In the said Act, in section 62,—

(a) in sub-section (1), for the figure “66”, the expression “sub-section (1) of section 63” shall be substituted; and

(b) in sub-section (2), in paragraph (d), for the word “Ordinance”, the word “Act” shall be substituted.

24. Amendment of section 72, Act XXV of 1997.—In the said Act, in section 72, for the word “Ordinance”, the word “Act” shall be substituted.

25. Insertion of new section 74, Act XXV of 1997.—In the said Act, after section 74, the following new section shall be inserted, namely:
“74A. **Power to amend Schedule.**—The Federal Government may, by notification in the official Gazette, amend the Schedule so as to add any entry thereto, amend any entry therein or omit any entry therefrom if it is satisfied that it is necessary or expedient so to do on the basis of following, namely:—

(a) the information and evidence which has become available to it with respect to the nature and effects of and the abuse or the scope for abuse of any substance (natural or synthetic) or natural material or preparation of such substance or material; or

(b) the modifications or provisions, if any, which have been made to or in any international convention with respect to such substance, natural material or any salt or preparation of such substance or material”.

26. **Amendment of Schedule.**—In the said Act, in the Schedule, for the heading “THE SCHEDULE”, the heading “SCHEDULE-I”, shall be substituted and after SCHEDULE-I, as amended hereinabove, the following new Schedule shall be added, namely:—

<table>
<thead>
<tr>
<th>Schedule-II</th>
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<tr>
<td>[Section 2(k)]</td>
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<tr>
<td>Division-I</td>
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<tr>
<td>(Table-I of the 1988 Convention)</td>
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<tr>
<td>Ephedrine</td>
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<td>Ergometrine</td>
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<td>Ergotamine</td>
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<td>Lysergic acid</td>
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<td>4-phenyl-1-2 propanone</td>
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<td>Pseudoephedrine</td>
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<tr>
<th>Division-II</th>
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<tr>
<td>(Table-II of the 1988 Convention)</td>
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<tr>
<td>Acetic anhydride</td>
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<td>Acetone</td>
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<td>Anthranilic acid</td>
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<td>Ethyle eter</td>
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<td>Phenylacetic acid</td>
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<tr>
<td>Piperidine</td>
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</table>
STATEMENT OF OBJECTS AND REASONS

The case relates to the proposed amendments in Control of Narcotics Substance (CNS) Act 1997. It is stated that Control of Narcotics Substance (CNS), Act, 1997, completely covers the offences relating to Narcotics Drugs, Psychotropic Substances and Controlled Substances. The illegal possession, manufacturing, sale, purchase, distribution etc. of Narcotics Drug, Psychotropic Substances and Controlled substances in an offence under Section 6 of CNS Act, 1997 and punishable under Section 9 of CNS Act, 1997. The financing of the trafficking of Narcotics Drugs, Psychotropic Substances and Controlled Substances is an offence under Section 8 of CNS Act, 1997 and punishable under Section 9 of CNS Act, 1997. The Peshawar High Court directed the Federal Government to make strict legislation to curb the use and sale of “methamphetamine”, popularly known as “ice” and “crystal meth”, since this dangerous drug is destroying our young generation. It is also mentioned that the proposed amendments in CNS Act, 1997 cover adequate and reasonable punishment for illicit trafficking of “methamphetamine”, a psychotropic substance. Moreover, the punishment for all other illicit drugs has also been reviewed, keeping in view the substance and quantity of drugs. In addition to this, the punishment for sale of drugs in educational setting has also been enhanced.

SARDAR ALI MUHAMMAD KHAN MAHAR,

*Federal Minister for Narcotics Control.*

Pursuant to rule 235 (4) of the Rules of Procedure and Conduct of Business in the National Assembly, 2007, the following reports of the Standing Committees, presented to the National Assembly on 22nd April, 2019 are published for information.

**REPORT OF THE STANDING COMMITTEE ON PARLIAMENTARY AFFAIRS ON THE ELECTIONS (AMENDMENT) BILL, 2019.**

I, Chairman of the Standing Committee on Parliamentary Affairs, have the honour to present this report on the Bill further to amend the Elections Act, 2017 [The Elections (Amendment) Bill, 2019] (Ordinance No.1 of 2019) referred to Standing Committee on 25th January, 2019.
2. The Committee comprises the following members:

1. Mr. Mujahid Ali Chairman
2. Mr. Junaid Akbar Member
3. Mr. Jawad Hussain Member
4. Mr. Mansoor Hayat Khan Member
5. Mr. Aftab Hussain Siddiqui Member
6. Ms. Maleeka Ali Bokhari Member
7. Ms. Rukhsana Naveed Member
8. Mst. Shaheen Naz Saifullah Member
9. Ms. Zille Huma Member
10. Ms. Fouzia Behram Member
11. Mr. Moonis Elahi Member
12. Ch. Mehmood Bashir Virk Member
13. Rana Sana Ullah Khan Member
14. Rana Mubashir Iqbal Member
15. Mr. Abdul Rehman Khan Kanju Member
16. Mr. Aftab Shahban Mirani Member
17. Ms. Shagufta Jumani Member
18. Ms. Shams-Un-Nisa Member
19. Mr. Mahesh Kumar Malani Member
20. Moulana Abdul Akbar Chitrali Member
21. Minister for Parliamentary Affairs Ex-officio Member

3. The Committee considered the Bill, as introduced in the National Assembly placed at Annex-A, in its meeting held on 15th March, 2019. The Committee unanimously recommends that the Bill as introduced in the National Assembly be passed by the Assembly.

Sd/-
(TAHIR HUSSAIN)
Secretary
Islamabad, the 2nd April, 2019.

Sd/-
(MUJAHID ALI)
Chairman
Standing Committee on Parliamentary Affairs.

Annex-A

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Elections Act, 2017

WHEREAS it is expedient further to amend the Elections Act, 2017 (XXXIII of 2017) for the purpose hereinafter appearing:
It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Elections (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Amendment of section 20, Act XXXIII of 2017.**—In the Elections Act, 2017 (XXXIII of 2017), in section 20, after sub-section (2), the following new sub-section, shall be inserted, namely:—

   “(2A). For the purpose of delimiting constituencies, for the general seats of the Provincial Assembly of Khyber Pakhtunkhwa for Tribal Areas two or more separate areas may be grouped into one constituency for their elections to be held in 2019 and Bye-elections related thereto and thereafter this sub-section shall stand omitted.”.

   ——-

**STATEMENT OF OBJECTS AND REASONS**

Pursuant to 25th Constitutional Amendment, the Election Commission is obliged to conduct elections on 16 general seats of erstwhile FATA including Frontier Regions for the Provincial Assembly of Khyber Pakhtunkhwa before 25th July, 2019. The Election Commission of Pakistan is facing great difficulty in delimiting the six ex-Frontier Regions, which have been annexed by the Provincial Government with other adjoining districts.

2. Section 20 (2) of the Elections Act, 2017 provides that the Election Commission may while delimiting constituencies for the general seats in the National Assembly for the Tribal Areas, group two or more separate areas into one constituency. In order to avert disenfranchisement of ex-Tribal areas including its non-contiguous Frontier Regions, the Commission suggested to insert identical provision for delimitation of general seats of newly allocated Provincial Assembly of Khyber Pakhtunkhwa for erstwhile FATA.

3. This Bill has been designed to achieve the aforesaid objectives.

   MR. ALI MUHAMMAD KHAN,
   Minister of State for Parliamentary Affairs
REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CONSTITUTION (AMENDMENT) BILL, 2019

I, the Chairman of the Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2019] (Government Bill) referred to the Committee on 16th January, 2019.

2. The Committee comprises the following:—

1. Mr. Riaz Fatyana  
   Chairman
2. Mr. Atta Ullah  
   Member
3. Mr. Lal Chand  
   Member
4. Mr. Muhammad Farooq Azam Malik  
   Member
5. Ms. Kishwer Zehra  
   Member
6. Ms. Maleeka Ali Bokhari  
   Member
7. Mr. Muhammad Sana Ullah Khan Masti Khel  
   Member
8. Malik Muhammad Ehsan Ullah Tiwana  
   Member
9. Agha Hassan Baloch  
   Member
10. Mr. Sher Ali Arbab  
    Member
11. Ms. Shunila Ruth  
    Member
12. Mr. Saad Waseem  
    Member
13. Rana Sana Ullah Khan  
    Member
14. Ch. Mehmood Bashir Virk  
    Member
15. Mr. Usman Ibrahim  
    Member
16. Khawaja Saad Rafique  
    Member
17. Syed Hussain Tariq  
    Member
18. Syed Naveed Qamar  
    Member
19. Dr. Nafisa Shah  
    Member
20. Ms. Aliya Kamran  
    Member
21. Barrister Dr. Muhammad Farogh Naseem  
    Ex-officio Member

Minister for Law and Justice

3. The Committee considered the Bill as introduced in the National Assembly placed at (Annex-A), in its meeting held on 12th March, 2019 and recommended that the Bill may be passed by the National Assembly.

Sd/-
(TAHIR HIJISSAIN)  
Secretary

Islamabad, the 4th April, 2019.

Sd/-  
(RIAZ FATYANA)  
Chairman.
Annex- “A”

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Constitution (…………..Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of Article 51 of the Constitution.—In the Constitution of the Islamic Republic of Pakistan, in Article 51,—

(I) in clause (1), for the words “three hundred and thirty-six” the words “three hundred and thirty-seven” shall be substituted;

(II) in clause (3), in the table,—

(a) against the entry “Federal Capital” in the first column,—

(i) in the third column, the figure “1” shall be inserted; and

(ii) in the fourth column, for the figure “3” the figure “4” shall be substituted;

(b) against the entry “Total” in the first column,—

(i) in the third column, for the figure “60” the figure “61” shall be substituted; and

(ii) in the fourth column, for the figure “326” the figure “327” shall be substituted; and

(III) in clause (6),—

(a) in paragraph (b),—
(i) after the word “Province”, the words “and Federal Capital” shall be inserted; and

(ii) after the word “Provinces” the words “and Federal Capital” shall be inserted; and

(b) in paragraph (d),—

(i) after the word “Province” occurring for the first time, the words “and Federal Capital” shall be inserted; and

(ii) after the word “concerned” the words “or Federal Capital” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Under Article 1(2)(b) of the Constitution, the Islamabad Capital Territory (Federal Capital) is separate entity. Under Article 25(3), the State can make special provision for protection of women. The present Government believes in emancipation of women and is in favour of giving a seat to women in National Assembly for ICT to bring the women at par with other federating units. In order to achieve this purpose constitutional amendment is required. Hence, this Bill.

The Bill is designed to achieve the aforesaid object.

Minister-in-Charge.

REPORT OF THE STANDING COMMITTEE ON DEFENCE PRODUCTION ON THE HEAVY INDUSTRIES TAXILA BOARD (AMENDMENT) BILL, 2019

I, the Chairman of the Standing Committee on Defence Production have the honour to present this Report on the Bill further to amend the Heavy Industries Taxila Board Act, 1997 (XII of 1997) [The Heavy Industries Taxila Board (Amendment) Bill, 2019] (Government Bill) referred to the Committee on 4th March, 2019.

2. The Committee consists of the following:—
(1). Chaudhry Iftekhar Nazir
(2). Prince Muhammad Nawaz Allai
(3). Mr. Imran Khattak
(4). Mr. Khial Zaman
(5). Mr. Farrukh Habib
(6). Mr. Rahat Aman Ullah Bhatti
(7). Mr. Niaz Ahmed Jakhar
(8). Mr. Muhammad Najeeb Haroon
(9). Ms. Sajida Begum
(10). Mr. Hussain Elahi
(11). Mr. Salahuddin
(12). Ms. Saira Bano
(13). Chaudhry Abid Raza
(14). Ch. Mehmood Bashir Virk
(15). Mr. Nasir Iqbal Bosal
(16). Mr. Nadeem Abbas
(17). Syed Ibrar Ali Shah
(18). Mr. Irfan Ali Leghari
(19). Mr. Rafique Ahmed Jamali
(20). Mr. Afreen Khan
(21). Ms. Zobaida Jalal, Ex-officio Member

Minister for Defence Production

3. The Committee considered the Bill placed at Annexure-‘A’ in its meeting held on 21st March, 2019 and recommends that it may be passed by the Assembly.

Sd/-
(TAHIR HUSSAIN)
Secretary
Islamabad, the 18th April, 2019.

Sd/-
(CHAUDHRY IFTEKHAR NAZIR)
Chairman
Standing Committee on Defence Production.
[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Heavy Industries Taxila Board Act, 1997

WHEREAS it is expedient further to amend the Heavy Industries Taxila Board Act, 1997 (XII of 1997), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.—**(1) This Bill may be called the Heavy Industries Taxila Board (Amendment) Act, 2019.

   (2) It shall come into force at once.

2. **Amendment of section 6, Act XII of 1997.—**In the Heavy Industries Taxila Board Act, 1997 (XII of 1997), hereinafter called as the said Act, in section 6, in sub-section (1), for the words “surplus capacity” the words “commercial potential” shall be substituted.

3. **Amendment of section 7, Act XII of 1997.—**In the said Act, in section 7, for clause (h), the following shall be substituted, namely:—

   “(h) to utilize, create and enhance commercial capacity and capability for manufacturing marketable products, promote sales thereof and provide services within country and abroad, through:—

   (C) establishment of limited company under the Companies Act, 2017 (XIX of 2017) to undertake with approval of the Board, commercial activities on corporate lines with private or public sectors both within country and abroad for the following, namely:—

   (C) undertake joint ventures with experienced national and international partners;

   (ii) establish subsidiary companies;

   (iii) without utilizing public money, raise funds through private investment or bank credit;
(iv) maintain receipt and expenditure account of the commercial revenue in scheduled banks jointly operated in consultation with member finance;

(v) frame audit, accounts and costing manuals on modern techniques;

(vi) marketing of commercial products through internal marketing department or through hiring of agents; and

(vii) formulate own recruitment and procurement procedures; and

(B) the company and its subsidiaries subject to audit by the Chartered Accountants firms; and

(C) revenue earned by utilizing commercial activities to subsidize defence budget which will reduce burden on national economy, for reinvestment and to provide benefit to the Board’s management and employees in prescribed manners.”

STATEMENT OF OBJECTS AND REASONS

Heavy Industries Taxila (HIT) functions under a Board established in 1994 which was later enacted by the Parliament as HIT Board Act No. XII of 1997. Principal function of the Board is to meet needs of defence of the country and utilize surplus capacity for commercial activities. Creation of potential outside the realm of existing capacity is essentially required to optimally utilize commercial potential of HIT and earn sufficient revenue to subsidize its budget. This can be achieved through Joint Ventures (JVs) with local entrepreneur and foreign companies.

2. HITB functions under Government rules/regulations which do not commensurate with corporate requirements and are counter-productive to providing competitive edge in business. The proposed JVs under a Limited Company can be jointly administered with private investors. Financial discipline in the venture can be ensured by JV partners having profit motive.

3. Rebuild and manufacturing factories of HIT are specialized defence projects, and HIT, with over 35 years’ experience, has achieved vast commercial
potential. HIT is considered suitable for JV programmes with national/international partners for in-country manufacturing of commercial products such as automobiles, trucks, prime movers, railway wagons etc. If this potential is tapped to its optimum, sufficient revenue can be generated to subsidize ever increasing demand of funds for support of Army project.

ZOBAIDA JALAL,
Minister for Defence Production.

________________________________________

TAHIR HUSSAIN,
Secretary.