

[AS INTRODUCED IN THE SENATE]

**A
BILL**

further to amend the Contempt of Court Ordinance, 2003

WHEREAS it is expedient further to amend the Contempt of Court Ordinance, 2003 (Ordinance No. IV of 2003) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Contempt of Court (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 3, Ordinance IV of 2003.- In the Contempt of Court Ordinance, 2003 (Ordinance No. IV of 2003), hereinafter referred to as the said Ordinance, in section 3, the words, "or to lower the authority of a court", shall be omitted.

3. Amendment of section 5, Ordinance IV of 2003.- In the said Ordinance, in section 5, for sub-section (1), the following shall be substituted, namely:-

"(1) Subject to sub-section (2), any person who commits contempt of Court shall be punished,-

- (a) with imprisonment which may extend to six months simple imprisonment, or with fine which may extend to one hundred thousand rupees, or with both, in case of criminal contempt and judicial contempt; and
- (b) with fine which may extend to one hundred thousand rupees, in case of civil contempt."

STATEMENT OF OBJECTS AND REASONS

It is an acknowledged principle that the dignity of a judge and courts must rest more on the conduct of honorable judges, the soundness and speaking nature of their verdicts more than resort to the contempt of court law. Dignity of courts that rests merely on resort to contempt law is said to be resting on fragile foundations.

To emphasize the point regarding the authority and dignity of a court and to partially address this issue the amendment in section 3 of the Contempt of Court Ordinance, 2003 is proposed. For upholding the same principle the Bill seeks to retain the punishment of imprisonment and fine or both in case of criminal and judicial contempt but seeks to delete the punishment of six months imprisonment in case of civil contempt while retaining the provision of fine.

SENATOR FARHATULLAH BABAR
Member in charge