

[AS INTRODUCED IN THE SENATE]

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 Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Provincial Motor Vehicles (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 50, Ordinance XIX of 1965.- In the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ordinance XIX of 1965), in its application to the Islamabad Capital Territory, hereinafter referred to as the said Ordinance, in section 50, for sub-section (I), the following shall be substituted:-

“(1) A condition shall be inserted in every stage carriage permit that in case of death or injury to a passenger in the stage carriage arising out of the use of stage carriage, the permit holder shall pay, as compensation to passenger or the legal representatives of the passengers, the amount specified in the Thirteenth Schedule.”

3. Insertion of section 97A, Ordinance XIX of 1965.- In the said Ordinance, after section 97, the following new section shall be inserted, namely:-

“**97A. Penalty for fabrication of registration plate.-** Whoever, fabricates a registration plate in contravention of section 25 shall be punished with imprisonment of either description for a term which may extend to two years or with fine which may extend to fifty thousand rupees but shall not be less than twenty thousand rupees or with both.”

4. Amendment of section 103, Ordinance XIX of 1965.- In the said Ordinance, in section 103, for the words "six months" the words "one year" shall be substituted.

5. Amendment of section 104, Ordinance XIX of 1965.- In the said Ordinance, in section 104, for the words "five hundred" the words "one thousand" and for the words "one thousand" the words "five thousand" shall be substituted.

6. Amendment of section 106, Ordinance XIX of 1965.- In the Ordinance, in section 106, for the words "five hundred" the words "one thousand" and for the words "one thousand" the words "five thousand" shall be substituted.

7. Amendment of Twelfth Schedule, Ordinance XIX of 1965.- In the said Ordinance, in Twelfth Schedule:

- (a) Against Serial No. 1, in column (3) for the figure "200" the figure "500" shall be substituted.
- (b) Against Serial No. 27, in column (3) for the figure "100" the figure "500" shall be substituted.
- (c) Against Serial No. 32, in column (3) for the figure "500" the figure "1000" shall be substituted.
- (d) Against Serial No. 34, in column (3) for the figure "500" the figure "1000" shall be substituted.
- (e) Against Serial No. 35, in column (3) for the figure "200" the figure "700" shall be substituted.
- (f) Against Serial No. 48, in column (3) for the figure "300" the figure "500" shall be substituted.
- (g) Against Serial No. 48 (i), in column (3) for the figure "300" the figure "700" shall be substituted.
- (h) Against Serial No. 48 (ii), in column (3) for the figure "300" the figure "700" shall be substituted.
- (i) Against Serial No. 49, in column (3) for the figure "500" the figure "700" shall be substituted.
- (j) Against Serial No. 58, in column (3) for the figure "500" the figure "1000" shall be substituted.
- (k) Against Serial No. 59, in column (3) for the figure "500" the figure "2000" shall be substituted.

8. Substitution of Thirteenth Schedule, Ordinance XIX of 1965.- In the said Ordinance, for Thirteenth Schedule the following shall be substituted, namely:-

S.No.	Death or Injury	Amount of Compensation
1.	Death	Rs. 400,000
2.	Loss of right arm above or at the elbow	Rs. 50,000
3.	Loss of left arm above or at the elbow	Rs. 50,000
4.	Loss of right arm below the elbow	Rs. 50,000
5.	Loss of leg at or above the knee	Rs.50,000
6.	Loss of left arm below the elbow	Rs.50,000
7.	Loss of leg below the knee	Rs. 30,000
8.	Loss of both legs	Rs.100,000
9.	Permanent loss of hearing	Rs. 30,000
10.	Loss of one eye	Rs. 36,000
11.	Loss of both eyes	Rs. 70,000
12.	Loss of thumb	Rs. 20,000
13.	Loss of all toes of one foot	Rs. 25,000
14.	Loss of index finger	Rs. 20,000
15.	Loss of great toe	Rs. 20,000
16.	Loss of any finger other than index finger	Rs. 20,000
17.	Permanent disfiguration of the face or head	Rs. 25,000
18.	Fracture or dislocation of bone	Rs. 20,000
19.	Emasculatation	Rs. 35,000
20.	Loss of one or more teeth	Rs. 6,000
21.	Any injury which endangers life or which causes the sufferer to be, during the space of twenty days, severe bodily pains or to render him unable to follow his ordinary pursuits	Rs. 15,000
22.	Medical expenses for an injury not specified in this Schedule Actual expenses certified by Medical Officer	Rs. 20,000
23.	N.B. Maximum compensation payable for more than one injury shall be limited to	Rs. 60,000

STATEMENT OF OBJECTS AND REASONS

The economic, social and health losses resulting from road traffic injuries are not inevitable. There is substantial evidence confirming that road traffic injuries can be prevented by strict implementation of law. Traffic laws play a critical role in ensuring road safety. Without effective traffic laws, the possibility of road accidents rises considerably. In Pakistan, fatalities due to road accidents have seen a huge surge in the recent decade. According to Pakistan Bureau of Statistics, during the last decade on average, 15 people died every day due to road accidents. In the year 2012-13 there were 8,988 road accidents and 4,719 people lost their lives while 9,710 people were injured. In the year 2013-14 there were 8,885 road accidents in which 4,672 died while 9,864 got injured. The ineffectiveness of the present traffic laws is one of the many reasons for increasing road accidents in Pakistan. The Provincial Motor Vehicles Ordinance 1965 deals with the traffic laws in Pakistan. The Provinces have made various amendments in the Provincial Motor Vehicles Ordinance 1965. The Provincial Motor Vehicles Ordinance needs to be amended to make it comprehensive and more effective. This Bill aims to make the traffic laws in Islamabad Capital Territory more effective which will consequently enhance road safety and reduce accidents.

SENATOR MOHAMMAD AZAM KHAN SWATI
Member-in-charge