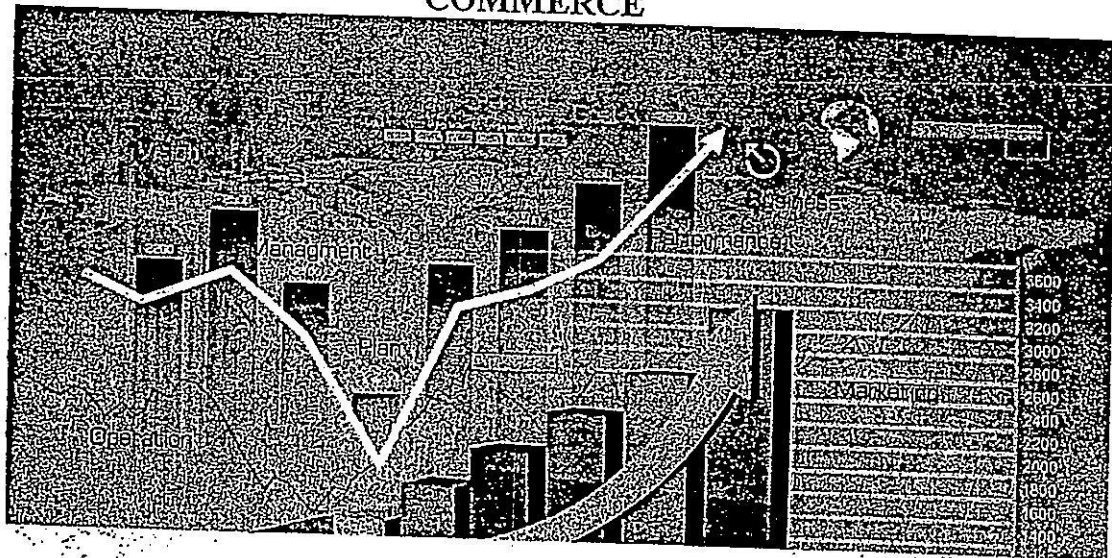


SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON COMMERCE



REPORT OF THE SENTATE STANDING COMMITTEE ON COMMERCE
ON CONSIDERATION OF IMPORTS AND EXPORTS (CONTROL) ACT,
1950 [THE IMPORTS AND EXPORTS (CONTROL) (AMENDMENT) BILL,
2023]

PRESENTED BY
SENATOR ZEESHAN KHANZADA
CHAIRMAN

SENATE SECRETARIAT

REPORT OF THE SENTATE STANDING COMMITTEE ON COMMERCE CONSIDERATION OF IMPORTS AND EXPORTS (CONTROL) ACT, 1950 [THE IMPORTS AND EXPORTS (CONTROL) (AMENDMENT) BILL, 2023]

I, Senator Zeeshan Khanzada, Chairman of the Standing Committee on Commerce have the honour to present, on behalf of the Committee, this report on Consideration of Imports and Exports (Control) Act, 1950 [The Imports and Exports (Control) (Amendment) Bill, 2023], referred by House for consideration in the Senate Sitting held on 25th July, 2023.

2. The Honourable Chairman Senate referred the matter to Standing Committee on the Commerce for consideration and report.

3. The composition of the Committee is as under:

1. Senator Zeeshan Khanzada	Chairman
2. Senator Mirza Muhammad Afridi (Dy.Chairman)	Member
3. Senator Mohammad Ishaq Dar (LOH)	Member
4. Senator Fida Muhammad	Member
5. Senator Saleem Mandviwalla	Member
6. Senator Nuzhat Sadiq	Member
7. Senator Ahmed Khan	Member
8. Senator Imamuddin Shouqeen	Member
9. Senator Danesh Kumar	Member
10. Senator Palwasha Muhammad Zai Khan	Member
11. Senator Muhammad Qasim	Member
12. Senator Mohammad Abdul Qadir	Member
13. Senator Shaukat Fayaz Ahmed Tarin	Member
14. Minister for Commerce	Ex-officio
Member	


4. The Committee discussed the matter in its meeting held on 27th July, 2023. The meeting was attended by the following members:

1. Senator Zeeshan Khanzada	Chairman
2. Senator Fida Muhammad	Member
3. Senator Saleem Mandviwalla	Member
4. Senator Nuzhat Sadiq	Member

5. The Special Secretary Ministry of Commerce briefed about the proposed bill and shared salient features of the bill. He further apprised the Committee that Imports and Exports are mainly regulated under Import and Export Policy Orders (IPO-2022 & EPO-2022), issued under Section 3(1) of the Imports and Exports (Control) Act 1950, with the approval of the Cabinet/Federal Govt. The powers to issue new imports and exports policy orders rests with the Federal Government. Moreover, the powers to relax, prohibitions and restrictions imposed on imports and or exports in case of urgency or in public interest vested in the Federal Government.

6. Responding to the query raised by the Chairman Committee, the Special Secretary apprised that in order to improve administrative efficiency and to secure interest of Trade and Commerce of the country, the powers to grant one time permission to import, re-import, export or re-export goods on case-to-case basis, in relaxation of the restrictions, for reasons to be recorded in writing are being transferred to the Minister Incharge.

7. After detailed deliberations the Committee unanimously recommends that the Bill as introduced in the Senate may be passed.


(ABDUL FATTAH UJJAN)
Secretary Committee


(Senator Zeeshan Khanzada)
Chairman Committee

[AS PASSED BY THE NATIONAL ASSEMBLY]

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) in the manner and 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.

(2) It shall come into force at once.

2. Amendment in section 3 Act XXXIX of 1950. - In the Imports and Exports (Control) ACT, 1950 (XXXIX of 1950), in section 3, in sub-section (1) for the full stop at the end, a colon shall be substituted and thereafter the following *proviso* shall be added, namely:-

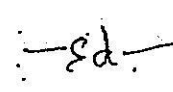
"Provided that the Minister-in-charge may, by notification in the official Gazette, for reasons to be recorded in writing, on case-to-case basis and in the interest of trade and commerce of Pakistan, allow one-time permission to import, re-import, export or re-export goods in relaxation of the prohibition or restrictions contained in the order made under this sub-section for the time being in force".

STATEMENT OF OBJECTS AND REASONS

The Import and Export (Control) Act, 1950 is the primary legal instrument which provides the legal basis for the conduct of International trade of Pakistan. Imports and Exports of the goods are regulated through Import Policy Order (IPO) and Export Order (EPO), respectively, issued under Section 3(1) of the Act. Keeping in view the ex-agencies of trade and industry, IPO and EPO are framed and amended, from time to time with the approval of the Cabinet. Under the Act, the Federal Government is empowered i) to make/ issue new IPO and EPO, ii) to make amendments in IPO and EPO and iii) to grant permission, on one-time basis, for imports and exports of the goods by relaxing the prohibition/ restrictions contained in the above said orders.

2. The powers to relax prohibition and restriction, however, imposed on imports and / or exports under the IPO/EPO, in cases of urgency or in public interest, are also vested in the Federal Government. As such, all cases of relaxation, on one-time basis, have to be submitted to the Cabinet for consideration. To improve administrative efficiency and to secure interest of trade and commerce of Pakistan, it is proposed that the said powers to grant one-time relaxation may be vested in the Federal Minister for Commerce. As such, the Federal Minister/ Minister-in-Charge shall be responsible for actions both to the Cabinet and the Parliament.

3. The proposed amendments will enable to address hardship cases, received from the business community and other quarters for one time relaxation of import / export related prohibitions and restrictions. Moreover, the amendment will make a compliance with the direction of the Cabinet in Case No. 64/05/2022 dated 15-02-2022 and Case No. 419/19/2017 dated 08-11-2017 whereby the Cabinet has directed all Federal Government agencies to substitute the words "Federal Government" with appropriate authority in their respective laws, rules etc.


(Syed Naveed Qamar)
Minister for Commerce