

[AS PASSED BY THE NATIONAL ASSEMBLY]

A Bill

to validate acts, orders and other instruments etc. done, made and issued from 26-04-2012 to 19-06-2012 (both days inclusive)

WHEREAS as a consequence of the Short Order of the Supreme Court of Pakistan dated 19th June, 2012 passed in Constitution Petitions No. 40 etc. of 2012 and disqualification Notification as Member of the National Assembly issued by the Election Commission of Pakistan on 19th June, 2012, Syed Yousaf Raza Gillani ceased to be the Member as well as Prime Minister of Pakistan with Effect from 26-04-2012;

AND WHEREAS it is expedient to validate acts, orders and instruments etc. done, made and issued by the Prime Minister from 26-04-2012 to 19-06-2012 (both days inclusive);

It is enacted as follows:-

1. **Short Title, extent and Commencement,-** This Act may be called the Validation Act, 2012.

(2) it extends to the whole of Pakistan.

(3) It shall come into force at once.

2. **Validation of acts, etc.-** (1) Notwithstanding anything contained in any law for the time being in force or any Order or Judgment of the Supreme Court, anything done, functions including parliamentary functions performed, actions taken, orders passed, directions issued, instruments made, MOUs executed, national and international commitments made, process or communication issued, advice given to the President in any matter, including in respect of Acts and Ordinances, SROs and other legal instruments issued, powers confirmed, assumed or exercised, or appointments made, by Syed Yousaf Raza Gillani, Prime Minister of Pakistan from 26-04-2012 to 19-06-2012 (both days inclusive), shall be deemed to have been validly done, performed, taken, passed, issued, made, given, confirmed, assumed, executed, exercised and provisions of this Act shall have, and shall be deemed to always to have had, effect accordingly.

(2) No suit, prosecution or other legal proceedings, including writ petition, shall lie in any court or forum including the Supreme Court against any authority or any person, for or on account of or in respect of any order made, proceedings taken or act done or advice given whether in the exercise or purported exercise of the powers or functions referred to in sub-section (1) or in execution of or in compliance with orders made or functions performed or actions taken in exercise or purported exercise of such powers.

STATEMENT OF OBJECTS AND REASONS

The order of the Supreme Court of Pakistan dated 19th June, 2012 and the Notification of Elections Commission are retrospective in operation in as much as both effect from 26-04-2012 from which date Syed Yousaf Raza Gillani was disqualified as Member of National Assembly and also ceased to be Prime minister of Pakistan with effect from said date, it is, therefore, necessary that acts done, orders passed and instruments etc, issued by the Prime Minister from 26-04-2012 to 19-06-2012 (both days inclusive) should be given protection and validity to avoid adverse consequences and legal complications.

2. The Bill is designed to achieve the said object.

Mr. FAROOQ HAMID NAEK
Minister for Law, Justice and Parliamentary Affairs
Minister-in-Charge