

[AS PASSED BY THE SENATE]

A

BILL

further to amend the Offences in Respect of Banks (Special Courts)
Ordinance, 1984

WHEREAS, it is expedient further to amend the Offences in Respect of Banks (Special Courts) Ordinance, 1984 (IX of 1984) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.-(1) This Act may be called the Offences in Respect of Banks (Special Courts) (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Insertion of new section 10A, Ordinance No. IX of 1984.- In the Offences in Respect of Banks (Special Courts) Ordinance, 1984 (IX of 1984) after section 10, the following new section 10A, shall be inserted, namely:-

"10A. Appeal in case of Acquittal.- If an order of acquittal is passed by the Special Court in any case, the High Court may, on an application made within thirty days by an aggrieved party in this behalf, grant special leave to appeal from the order of acquittal, whereupon the aggrieved party may present such an appeal to the High Court."

STATEMENT OF OBJECTS AND REASONS

The existing section 10 of Banks (Special Courts) Ordinance, 1984 provides right of appeal against conviction, but it does not provide right of appeal against acquittal. Therefore, in order to ensure right of appeal against order of acquittal of an accused person, Law and Justice Commission of Pakistan in its meeting held on September 8, 2013 approved insertion of section 10A in Banks (Special Courts) Ordinance, 1984.

2. The purpose of amendment aims to provide right of appeal to any aggrieved person against order of acquittal of an accused person whereas under the existing law, this right is available only to a person sentenced by the Courts. This has been recommended by Law and Justice Commission of Pakistan.

3. This Bill is designed to achieve the aforesaid purpose.

Senator Mohammad Ishaq Dar

Minister for Finance,
Revenue, Economic Affairs,
Statistics and Privatization
Minister-in-Charge