

Introduced on:- 19-09-2018.

[TO BE INTRODUCED IN THE SENATE]

A

Bill

further to amend the Prevention of Electronic Crimes Act, 2016.

Whereas it is expedient further to amend the Prevention of Electronic Crimes Act, 2016 (XL of 2016) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Prevention of Electronic Crimes (Amendment) Act, 2018.

(2) It shall come into force at once.

2. Amendment in section 2, Act XL of 2016.- In the Prevention of Electronic Crimes Act, 2016, hereinafter called as the said Act; in Section 2, in sub-section (1),-

(a) after clause (vi), the following new clause shall be inserted namely,-

“(via) “blasphemy” means the words spoken or written through any information system by any person either by visible representation or by any imputation, innuendo or insinuation directly or indirectly, which in any form defile the sacred name of the Holy Prophet Muhammad (peace be upon him); and

(b) after clause (xxv), the following new clause shall be inserted namely,-

“(xxva) “pornographic content” means any representation whether visual, audio or written, or the combination of visual, audio or written, by electronic means of a person engaged in sexually explicit conduct that, when taken as a whole, appeals to the prurient interest of a common person who, having regard to all the relevant circumstances, is likely to read, see or hear the matter contained therein but does not include any content having bona fide medical educational value only;”.

3. **Insertion of new section 22A, Act XL of 2016.**- In the said Act, after section 22, the following new section shall be inserted namely:-

“22A. Pornography. - (1) Whoever intentionally produces or offers for sale through an information system any pornographic content in Pakistan shall be guilty of an offence punishable with imprisonment for a term which may extend to four years and with fine which may extend to three million rupees.

(2) Whoever intentionally distributes or transmits any pornographic content to anyone in Pakistan through an information system without lawful justification shall be guilty of an offence punishable with imprisonment for a term which may extend to three years and with fine which may extend to two million rupees.”

4. **Insertion of new section 27A, Act XL of 2016.**- In the said Act, after section 27, the following new sections shall be inserted, namely:-

“27A. Dissemination of content outraging religious feelings of any class by insulting its religion or religious beliefs. - Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of the citizens of Pakistan, disseminates through any information system any content which insults the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to ten years or with fine or with both.

27B. Defiling, etc. of copy of Holy Quran.- Whoever willfully defiles, tampers or desecrates an electronic copy of the Holy Quran or of an extract therefrom or uses it through an information system in any derogatory manner or for any unlawful purpose shall be punished with imprisonment for life.

27C. Blasphemy. - Whoever commits blasphemy, in respect of the Holy Prophet Muhammad (peace be upon him), shall be punished with death and shall also be liable to fine.