

[AS PASSED BY THE SENATE]

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BILL

further to amend the Exit from Pakistan (Control) Ordinance, 1981

WHEREAS it is expedient further to amend the Exit from Pakistan (Control) Ordinance, 1981 (XLVI of 1981) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Exit from Pakistan (Control) (Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of section 2, Ordinance No. XLVI of 1981.- In the Exit from Pakistan (Control) Ordinance, 1981 (Ordinance No. XLVI of 1981), hereinafter referred to as the said Ordinance, in section 2,-

(i) for sub-section (2) the following shall be substituted, namely:-

“(2) Before making an order under sub-section (1), the Federal Government shall specify the grounds on which the order is proposed to be made and shall communicate such grounds within twenty-four hours of the making of the order to the person or class of persons prohibited.”

(ii) sub-section (3) shall be omitted.

3. Amendment of section 3, Ordinance No. XLVI of 1981.- In the said Ordinance, in section 3, for sub-section (3) the following shall be substituted, namely:-

“(3) The Federal Government shall decide the representation made in sub-section (1) within fifteen days, failing which the order made under sub-section (1) of section 2 shall lapse.”

STATEMENT OF OBJECTS AND REASONS

The provisions of the Exit from Pakistan (Control) Ordinance, 1981 are in conflict with the fundamental rights conferred by the Constitution. The proposed amendments bring in harmony the provisions of the Ordinance with the Constitution and are based on the observations of the Superior Courts in several cases.

SENATOR MIAN RAZA RABBANI
Member-in-Charge