[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for the safety and standards of food and for establishment of the Islamabad Food Authority

WHEREAS, it is expedient to protect public health, to provide for the safety and standards of food, to establish the Islamabad Food Authority and for other connected matters;

It is hereby enacted as follows:-

Chapter-1

PRELIMINARY

1. **Short title, extent and commencement.-** (1) This Act may be called the Islamabad Capital Territory Food Safety Act, 2020.

(2) It extends to the whole of the Islamabad Capital Territory.

(3) It shall come into force on such date as the Government may by notification in the official Gazette, appoint.

2. **Definitions.-** (1) In this Act, unless there is anything repugnant in the subject or context.-

(i) "**Act**" means the Islamabad Capital Territory Food Safety Act, 2019;

(ii) "**Adulterated Food**" means an article of food,-

(a) which is not of the nature, substance or quality which it purports or represented to be; or

(b) which contains any such extraneous substance which may affect adversely the nature, substance or quality thereof; or

(c) which is processed, mixed, coloured, powdered or coated with any other substance in contravention of any provision of the Act rules or regulations; or

(d) any constituent which has been wholly or in part abstracted so as to affect injuriously its nature, substance or quality; or

(e) which contains any poisonous or other ingredient which may render it injurious to health; or

(f) the quality or purity of which does not conform to the prescribed standards; or

(g) which having been prepared, packed or kept under unhygienic and insanitary conditions, or has become contaminated or injurious to health;

(iii) "**Advertisement**" means any publicity, representation or pronouncement made by any means for the purposes of promoting, directly or indirectly, the sale or other disposal of any food;

(iv) "**Competent Authority**" means the Secretary Ministry of Interior;

(v) "**Consumer**" means any person that purchases the food against consideration or otherwise;

(vi) "**Director Food Authority**" means Officer appointed or nominated by the Competent Authority for the purposes of this Act;

(vii) "**Fee**" means the amount prescribed by the rules;

(viii) "**Food**" means anything whether processed, semi processed, raw or cooked and used as food adulterant for human consumption other than drugs as defined in the Drug Act, 1976 (XXXI of 1976) and includes.-

(a) any substance intended to be used in composition or preparation of food;

(b) any flavouring matter or condiment;

(c) any colouring matter intended to be used in food;

(d) chewing gum, confectionery and other products of the like nature; and

(e) water in any form, including ice, either for direct human or use in the composition or preparation of food:

Provided that Competent Authority may declare, by notification in the Official Gazette, any article as food for the purposes of this Act:

Provided further that an article shall not cease to be food by reason only that it is also capable of being used as a medicine;

(ix) "**Food Additive**" includes any substance which, normally, is not consumed as food, by itself, but is used as a typical ingredient of the food, the addition of which to the food affects the characteristics of such food;

(x) "**Food Authority**" means the ICT Food Authority established under section 3 of the Act;

(xi) "**Food Business**" means any undertaking establishment or concern whether maintained for profit or otherwise, carrying on any of the activities related to any stage of manufacturing, processing, packaging, import, export, storage, transportation, distribution of food and includes services like catering, distribution and sale of food or food ingredients;

(xii) "**Food Laboratory**" means any laboratory or institute to be declared by the Competent Authority;

(xiii) "**Food Safety Officer**" means any officer appointed as such, by the Competent Authority;

(xiv) "**Godown**" means a place where articles of food are received or stored for sale or delivery to a customer or consignee, and includes godowns of the Railways and other transport agencies, etc;

(xv) "**Food Tribunal**" means any Magistrate, not less than First Class, notified as tribunal under the Act;

(xvi) "**Government**" means the Islamabad Capital Territory;

(xvii) "**Injury**" means causing of pain, harm, disease, infirmity either bodily or in mind;

(xviii) "**Ingredient**" means any substance, including a food additive used in processing, manufacturing, preparation etc. of food to present its final food product either in modified form or otherwise;

(xix) "**Label**" includes any tag, brand, mark whether pictorial or descriptive written, printed, stencilled, embossed, impressed on, or attached to or included in or belonging to or accompanying any food;

(xx) "**Licence**" means a licence granted under this Act or the rules made there under, as may be notified by the Director Food Authority;

(xxi) "**Misbranded food**" means an article of food,-

(a) which is an imitation of, or resembles an other food in such a manner that is likely to deceive the consumers; or

(b) which is so coloured, flavoured, coated, powdered or polished as to conceal the true nature thereof; or

(c) Which is contained in any package which, or the label of which bears any statement, design, picture or description regarding the ingredients or the substances contained therein, which is false or misleading;

(xxii) "**Package**" includes anything in which food is wholly or partly cased, covered, enclosed, contained, placed or otherwise packed in any way whatsoever and any such other receptacle of any kind whether opened or closed;

(xxiii) "**Premises**" include any shop; stall, hotel, restaurant, airline services, canteens, place (open or closed by a boundary), building or tent or any other structure and any adjoining land used in connection therewith and any vehicle, conveyance, vessel or aircraft where any article of food is manufactured, stored, transported or sold etc;

(xxiv) "**Prescribed**" means prescribed by the rules;

(xxv) "**Public Analyst**" means an analyst appointed under the Act;

(xxvi) "**Safe food**" means the food that is not unsafe;

(xxvii) "**Sale**" with its grammatical variations and cognate expressions, means a Transfer of ownership of any article of food, and includes an agreement for sale, and also an attempt to sell any such article;

(xxviii) "**Standard**" in relation to any article of food, means the prescribed and includes the standard notified by the Food Authority;

(xxix) "**Sub-standard**" means the article of food that does not meet the prescribed but not so as to render the article of food unsafe;

(xxx) "**Transit**" includes all stages of transportation from the place of manufacture, production, processing, or other source of origin to the consumer;

(xxxi) **"Unsafe food"** means an article of food whose nature, substance or quality is so affected by any means as to render it injurious to health and includes food which does not comply with relevant technical resolutions under technical barriers to trade (TBT) and sanitary and phytosanitary(CPS) conditions;

(xxxii) **"Food Operator"** means a person who manufactures for sale, transports, by the Competent Authority as such; and

(xxxiii) **"Scientific Panel"** means the Scientific Penal constituted under the Act.

Chapter-II

ESTABLISHMENT OF FOOD AUTHORITY

3. Establishment of the Food Authority.- (1) The Government shall, by notification, establish the ICT Food Authority to carry out the purposes of this Act.

(2) The Food Authority shall consist of a Board comprising a Chairperson and following Members, namely:-

(a)	Chief Commissioner ICT.	Chairperson
(b)	Representative of the Ministry of Health Regulation not below BS-19.	Member
(c)	Representative of the Ministry of Interior not below BS-19.	Member
(d)	Representative of the Government, Food Security not below BS-19.	Member
(e)	Two members of the National Assembly of the ICT to be nominated by the Government.	Member
(f)	Two food technologists or scientists to be nominated by the Government.	Member
(g)	One representative of the Chambers of Commerce & Industry to be nominated by the Government.	Member
(h)	One representative of Industry to be nominated by the Government.	Member
(i)	One representative of Food Operator to be nominated by the Government.	Member Secretary

(3) The members other than the *ex-officio* members shall be appointed in the manner and term as prescribed.

(4) The general directions and superintendence of the affairs of the Authority shall vest in Board who with the assistance of Director Food Authority shall discharge its functions under the guidance and instructions on policy matters by the Federal Government.

(5) The Board may, with the prior approval of the Chairperson, co-opt any other person as a member.

(6) The Chairperson and members, other than *ex-officio* members, shall be appointed in such manner as to ensure the highest standards of professional competence and experience.

(7) A meeting of the Board shall be held in the manner provided by the regulations, and until so provided, as may be determined by the Board.

(8) The Secretary of the Board shall, on the direction of the Chairperson, call a meeting of the Board.

(9) The Board shall meet at least thrice in a year.

(10) The Chairperson, or in his/her absence, any other member elected by the members present at a meeting, shall preside at a meeting of the Board.

(11) The quorum for a meeting shall be one third of the total members, the fraction being counted as one.

(12) No act or proceedings of the Board shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Board.

4. **Powers and Functions of Food Authority.-** (1) The Food Authority shall enjoy such powers and perform such function as may be notified by the Government from time to time in addition to the following functions, namely:-

(a) Specify procedures and guidelines for setting up and accreditation of food laboratories;
(b) Formulate method of sampling, analysis of samples and reporting of results;
(c) Specify licensing, prohibition orders, recall procedures, improvement notices or prosecution;
(d) Determine terms and conditions of service of its employees;
(e) Collect and analyze relevant scientific and technical data relating to food;
(f) Establish a system of network of food operators and consumers to facilitate food safety and quality control;
(g) Organize training programmes in food safety and standards;
(h) Promote general awareness as to food safety standards;
(i) Levy fee for registration, licensing and other services;
(j) Certify food for expert;
(k) Perform any other prescribed function; and
(l) Do any other thing which is necessary for the discharge of its functions under this Act.

(2) The Food Authority shall exercise its functions, as far as possible, in accordance with the well-established scientific principles and international best practices.

5. **Director of the Food Authority.-** (1) The competent authority shall nominate or appoint the Director Food Authority on such terms and conditions as it may determine.

(2) The Director Food Authority, who shall be the Chief Executive Officer of the Authority, shall be responsible for efficient implementation of the Act.

(3) The Director Food Authority shall exercise such powers and functions as may be prescribed.

Chapter-III

FOOD SAFETY OFFICERS

6. **Food Safety Officer.-** The Competent Authority may appoint Food Safety Officers, such person (s) as it deems appropriate for the purpose by notification having qualification as prescribed in the rules.

7. **Powers of Food Safety Officer.-** The powers and functions of the Food Safety Officers shall be following, namely:-

(a) Take sample of any food or any substance, which appears to him to be intended for sale, or has been sold as food;

(b) Seize any food, apparatus or utensil which appears to the Food Safety Officer to be in contravention of this Act, the rules or the regulations;

(c) Enter or seal any premises where he believes any food is prepared, preserved, packaged, stored, conveyed, distributed or sold, examine any such food and examine anything that he believes is used, or capable of being used for such preparation, preservation, packaging, storing, conveying, distribution or sale;

(d) Open and examine any package which, he believes, to contain any food;

(e) Examine any book or documents with respect to any food and make copies of or take extracts from the book or documents;

(f) Demand the production of the identity card, the business registration certificate, licence or any other relevant document from a food operator; and

(g) Search and seize any vehicle carrying food.

(2) A Food Safety Officer shall prepare a statement describing the food, apparatus, utensil, or vehicle seized and shall deliver a copy of the statement to the person from whom it is seized or, if such person is not present, send such copy to him by mail.

(3) A person claiming back anything seized under sub-section (1) may, within seven days of the seizure, apply to the Court and the Court may confirm such seizure, wholly or in part, or may order that it be restored to the claimant.

(4) If the Court confirms the seizure of the food, apparatus or utensil, it shall be forfeited to the Food Authority or the Court may direct that such food, apparatus, utensil may be destroyed at the cost of the owner or person in whose possession it was found.

(5) If an application is not made within seven days under sub-section (3), the food, apparatus or utensil seized, shall be forfeited to the Food Authority.

(6) Any person may make an application in writing to the Food Safety Officer asking him to purchase a sample of any food from a food operator and get it analyzed from the public analyst.

Chapter-IV

LABORATORIES

8. **Establishment of Food Laboratories.-** The Competent Authority may establish or opt any accredit food laboratory from Pakistan National Accreditation Council for the purposes of carrying on analysis of the samples procured as may be prescribed.

9. **Licensing of food business.-** (1) A person shall not use any place for food business except under the prescribed registration or licence.

(2) The Food Authority may in the prescribed manner, exempt a class of food operators from obtaining compulsory registration or licence under this section.

10. **Public Analysts.-** (1) The Competent Authority may, by notification, nominate or appoint such person(s) as it may deems fit, having such qualification to be the Public Analyst(s) for such area(s) as may be prescribed.

(2) The production of a certificate under the hand of a public analyst, in a trial shall, until contrary is proved, be sufficient evidence of the facts stated therein.

(3) The Food Tribunal may of its own or on the request of the accused, send, any sample of food, to the Public Analyst for test, the cost of which analysis shall be paid by the accused unless otherwise directed by the Food Tribunal.

Chapter-V

OFFENCES AND PENALTIES

11. **Selling Food Against the Law.-** Any person who sells or offers for sale any adulterated food or food which is not in compliance with the provisions of this Act or the rules, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

12. **Substandard or Misbranded Food.-** Any person who manufactures for sale, stores, sells, distributes any food which is substandard or is misbranded, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

13. **Unsafe Food.-** Notwithstanding anything contained in any law for the time being in force a food operator, who manufactures for sale, stores, sells, distributes any unsafe food, shall be liable:

(a) where the unsafe food does not result in injury to any person, to be with imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both;

(b) where such unsafe food results in injury to any person, shall be punished with imprisonment for a term which may extend to three years or fine which may extend to one million rupees or with both; and

(c) where such unsafe food results in death of a person, shall be punished with imprisonment for life or fine which may extend to five million rupees, but not less than three million, or with both.

14. **Unhygienic or Unsanitary Place for Food.-** Any person who manufactures or processes or keeps any article of food for human consumption under unhygienic or unsanitary conditions, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to half a million rupees or with both.

15. Contraventions for which no Specific Penalty is Provided.- Whoever contravenes any provisions of the Act or the rules made there under, for which no specific penalty has been provided, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to half a million rupees or with both.

16. False Information.- If a person, in connection with a requirement or direction under this Act or the rules made thereunder, provides any information or produces any document or article of food that is false or misleading, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to half a million rupees or with both.

17. Obstructing the Food Safety Officer.- (1) Any person who obstructs or impedes any Food Safety Officer or any other authorized officer in the course of performing his duty under the Act or the rules made thereunder, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to half a million rupees or with both.

(2) Any person who unlawfully removes, alters or interferes, in any way, with any food, article, equipment, vehicle, etc seized, detained or sealed under the Act or the rules made thereunder shall be punished with imprisonment for a term which may extend to six months or fine which may extend to half a million rupees or with both.

18. Business without Licence.- If any food business operator who manufacturers, sells, stores or distributes any article of food without the prescribed licence, shall be punished with imprisonment for a term which may extend to six months or fine which may extend to half a million rupees or with both.

19. False Advertisement.- (1) Any person who for the purpose of affecting or promoting the sale of any food, publishes or causes to be published, any advertisement which.-

(a) falsely describes the food, or

(b) is contrary to the any provision of Act or the rules, or

(c) is likely to deceive a purchaser with regard to the character, nature, value, substance, quality, strength, purity, composition, merit, safety, weight, proportion, origin, age or effects of any food or of any ingredient or constituent of the food, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to two million rupees or with both.

(2) Any person who publishes or causes to be published any advertisement which does not contain the true name of the person by whom the advertisement is published and the address(s) of his place of business, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to two million rupees or with both.

20. False Labeling etc.- (1) Any person who prepares, packages, labels any food which does not comply with the prescribed standards, shall be punished with imprisonment for a term which may extend to three years or fine which may extend to one million rupees or with both.

(2) Any person who labels any food in a manner that is false, misleading or deceptive with regard to its character, nature, value, substance, quality or composition, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to one million rupees or with both.

21. **Failure to Comply with the Directions.-** If any person, without any reasonable ground, fails to comply with any order or notice issued any directions, under this Act or the rules made thereunder, shall be punished with imprisonment for a term which may extend to one year or fine which may extend to half a million rupees or with both.

22. **Punishment for Subsequent Offences.-** (1) If any person, after having been, previously, convicted of an offence punishable under the Act or rules made thereunder, is, subsequently, convicted of the same offence, shall be liable to.-

(a) the double of the punishment which he had already received as previous conviction; and

(b) on further commission of offence under the Act or the rules made there under, be banned to carry on the food business in addition to the award of maximum punishment for the offence.

(2) The licence of such food operator shall be cancelled.

23. **Compensation in case of Injury or Death of a Consumer.-** (1) Notwithstanding anything contained in any other law, in case of injury or death of a consumer due to unsafe food, the tribunal, in addition to any other penalty under this Act, may direct the food operator to pay compensation to the consumer or, the legal heirs of the consumer as the case may be, an amount which is-

(a) not less than one million rupees in case of death; and

(b) not exceeding half a million rupees in case of injury;

(c) If the food operator fails to pay the compensation under this section, the Food Authority shall recover the compensation as arrears of land revenue and make payment of the recovered amount to the injured or legal heirs of the deceased as the case may be.

24. **Forfeiture of Food, etc.-** In case of conviction under this Act, the Tribunal may direct that any food, apparatus, utensil, equipment, machinery, vehicle or any other thing, be confiscated or destroyed at the cost of the operator.

25. **Offences by Companies.-** (1) Where an offence under this Act or rules made thereunder has been committed by a Company, every person, who at the time of the commission of the offence, was in-charge of the Company as well as the company shall be jointly and severally liable for the punishment of the offence.

(2) Notwithstanding anything contained in sub-section (1), where it is proved that the offence is attributable to any neglect on the part of any director, manager, secretary or other officer of the Company, such director, manager, secretary or other officer shall also be liable to the punishment of the offence.

Explanation: - In this section, "Company" means a body corporate and includes a firm or any other association of persons, whether required or not.

26. Publication in Newspaper.- If a person is convicted of an offence and the conviction has attained finality, the Food Authority shall, if so directed by the Tribunal, publish the name of the person together with the name and place of his business, the nature of the offence and the fine, forfeiture, or other penalty imposed on him, in newspapers or in any other mode of information to the people and the convict shall be liable to pay the cost of any such publication.

Chapter-VI

JURISDICTION AND PROCEDURE

27. Jurisdiction of the Food Authority.- (1) On information received from any source, the Food Authority may, for reasons to be recorded in writing shall,-

(a) register information of an offence under this Act; or
(b) submit complaint of an offence before the Food Tribunal; or
(c) suspend or cancel the licence of the food operator; or
(d) impose fine on the food operator which may extend to one million rupees; or
(e) direct destruction of an adulterated or unsafe food in the prescribed manner; or
(f) take any other action as may be prescribed; or
(g) decide, if the circumstances so warrant, not to take any action.

(2) If the Food Authority cancels the licence or imposes fine on a food operator, the food operator may, within fifteen days of the communication of the order, prefer an appeal against such order to such Appellate Authority as may be prescribed.

(3) The Food Authority or the Appellate Authority shall not pass any order relating to suspension or cancellation of the licence or imposition of fine without providing an opportunity of hearing to the food operator.

(4) An order of suspension of a licence under this section shall not be passed for a period exceeding seven days at a time and, unless sooner withdrawn or the licence is cancelled, and shall cease to have effect on the expiry of the thirtieth day from the date of first such order.

28. Food Tribunal.- (1) An Offence punishable under this Act shall be exclusively triable by the Food Tribunal established by the Government and where it establishes more than one Food Tribunals, it shall specify the territorial limits within which each Food Tribunal shall to exercise its jurisdiction under the Act.

29. Cognizance and Investigation.- (1) An offence under this Act shall be cognizable on information provided to the officer incharge of a police station by an officer authorized by the Food Authority.

(2) If the offence causes death of, or injury to, a person, the injured person or the legal heirs of the deceased may also file a complaint in the Food Tribunals under Chapter XVI of the Code of Criminal Procedure, 1898 (V of 1898).

(3) The Director Food Authority may constitute a standing investigation team for an area consisting of such police officer(s) and food safety officer(s) to investigate offences under the Act and the rules made there under to submit report(s) in the Food Tribunal under the Code of Criminal Procedure, 1898 (V of 1898).

(4) The offences under sections 22 and 24 of the Act shall be non-bailable.

30. Time Limit for Prosecutions.- The prosecution for an offence under this Act or the rules made there under shall be filed within one year of the commission of the offence.

31. Summary Trial.- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (V of 1898) but subject to sub-section (2), a Food Tribunal may summarily try an offence punishable under this Act or the Rules made thereunder, and impose punishment of imprisonment for a term not exceeding six months, fine or both.

(2) If a Food Tribunal is of opinion that the nature of the offence does not justify summary trial, it may conduct proceedings in accordance with the provisions of Chapter XX of the Code of Criminal Procedure, 1898 (V of 1898).

32. Defence Available.- In any proceedings for an offence under this Act, the exercise of due care and caution shall be valid defence if it is proved that the person took all reasonable precautions and exercised due diligence to prevent the commission of the offence.

33. Recovery of Fines etc.- (1) The Food Authority shall recover the fine, fee or any other amount, imposed or levied, under this Act or the rules made there under, as an arrears of land revenue and, for the purpose, the officer authorized thereby shall exercise the powers of Collector under the Land Revenue Act 1967 (XVII of 1967).

(2) The fine imposed or the fee charged under the Act or the rules made there under shall be deposited with the Food Authority and shall form part of the Food Authority Fund.

(3) The Authority may distribute 10% of the fine to its officers as will be prescribed in the rules.

34. Appeal Against Conviction.- The Authority or the person sentenced by a Food Tribunal may, within thirty days from the date of communication of the order, file an appeal against the final order of the Food Tribunal in accordance with the Code of Criminal Procedure 1898.

35. Transfer of Cases.- (1) A case regarding any matter within the jurisdiction of a Food Tribunal, pending in any court before the establishment of a Food Tribunal under this Act and the Rules made there under, shall stand transferred to Food Tribunal which shall have jurisdiction to try the case.

(2) The District and Session Judge may transfer a case from one Food Tribunal to another Food Tribunal or direct to constitute a Food Tribunal made there under.

Chapter-VII

MISCELLANEOUS

36. Powers to Make Rules.- The Federal Government may, subject to the condition of previous publication, by notification in the official gazette, make rules to carry out the purposes of this Act.

37. Powers to Make Regulations.- The Director Food Authority may subject to the condition of previous publication, by notification in the official gazette, make regulations not inconsistent with the provision of this Act or the rules.

38. Immunity.- No suit, prosecution or other legal proceedings shall lie against the Government, any officer of the Government, the Food Authority, the Chairperson, a member or any other employee of the Food Authority for anything which is done in good faith under this Act, the rules or the regulations.

39. Public Servant.- The employees of the Food Authority shall be deemed to be public servant within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLVof1860).

40. Bank Accounts.- The Food Authority may open and maintain its accounts at such scheduled banks as may be prescribed, and until so prescribed, as the Government may determine.

41. Budget and Accounts.- (1) The Food Authority shall maintain proper accounts and other records relating to its financial affairs including its income and expenditures and its assets and liabilities in such form and manner as may be prescribed.

(2) After the conclusion of a financial year, the Food Authority, in the manner prescribed, shall cause to be prepared for the financial year statements of account of the Food Authority which shall include a balance sheet and an account of income and expenditures.

(3) The Food Authority shall approve its annual budget for a financial year in the prescribed manner.

(4) No expenditure for which provision has not been made in any approved budget shall be incurred without prior approval of the Food Authority.

42. Audit.- (1) The Auditor General of Pakistan shall annually audit the accounts of the Food Authority.

(2) The Government, in addition to the audit under sub-section (1) shall cause the accounts of the Food Authority annually audited by a Chartered Accountant or a firm of Chartered Accountants.

(3) The auditor appointed under sub-section (2) shall be provided such access to the books, accounts and other documents as may be considered necessary for the audit of accounts.

(4) The auditor shall submit the annual or any special audit report to the Food Authority, and the Food Authority, under intimation to the Government, shall take appropriate remedial or other action in the light of the audit report.

43. Annual Report.- (1) The Food Authority shall, within three months of the close of a financial year, submit to the Government an annual performance report.

(2) The report shall consist of .-

(a) the statement of accounts and audit reports of the Food Authority;

(b) a comprehensive statements of the work and activities of the Food Authority during the preceding financial year and its proposed projects and schemes; and

(c) such other matters as may be prescribed or as the Food Authority may consider appropriate.

(3) The Government shall, within two months of receiving the report from the Food Authority, lay the report in both Houses of the Parliament (Majlis-e-Shoora).

44. Application of the Code of Criminal Procedure, 1898.- The provisions of the Code of Criminal Procedure, 1898 shall be applicable to the trial of the offences under this Act.

45. Repeal and Savings.- (1) The West Pakistan Pure Food Ordinance 1960 (VII of 1960) is hereby repealed.

(2) Subject to this Act, any licence or order issued under the repealed Ordinance, which is in force on the date of coming into force of the Act, shall be deemed to have been issued under the Act and shall continue to be in force until expired, cancelled or withdrawn.

(3) The standards, safety requirements and other provisions of the repealed Ordinance or the rules made thereunder, shall, to the extent of consistency with the Act, continue to remain in force till the standards, safety requirements are prescribed under the Act.

(4) Any licence issued or orders passed under any law, which, on the date of commencement of the Act, is in force in the ICT, shall continue to be in force till the date of its expiry or fresh licence is issued or any order is passed under this Act.

(5) The standards, safety requirements and other provisions of the repealed law or any other law for the time being in force, shall continue to be in force till the provisions or this Act and the rules as the case may be come into force in ICT.

46. Overriding Effect.- The provisions of this Act shall have effect notwithstanding anything contained in any other law.

47. Power to Remove Difficulties.- The Government may, by notification, make some provisions as may deem necessary for removing any difficulty rising out in giving effect to the provisions of this Act, within period of two years after coming into force of this Act.

STATEMENT OF OBJECTS AND REASONS

1. It is the responsibility of the Government to provide safe, secure and hygienic food to its citizens without any discrimination. For this, food standards are formulated keeping in view the health and safety of the citizens. The provision of pure and standard food keeps the citizens healthy and overall performance of the nation improves. The healthy nations can perform best in every field of life.

2. It is imperative to mention here that the food adulteration, at present is checked under the Pure Food Ordinance 1960 which has now become outdated and lacks in strict measures/punishment for the culprits. Moreover the existing departments are lacking in human resource, equipment and necessary legal cover to perform their function.

3. Hence, it is dire need of the time to establish Food Authority in Islamabad Capital Territory to curb the menace of food adulteration, the Bill to establish the food authority will ensure pure and safe food to the people along with comprehensive operational mechanism for regulating and managing food items according to the standard fixed by the authority. The Bill also provides exemplary punishments to those who play havoc to the citizens by their nefarious designs by indulging in food adulteration.

4. The Bill has been designed to achieve the aforesaid objectives.

Sd/-
Mr. Ali Nawaz Awan
Member, National Assembly