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PART I

Acts, Ordinances, President's Orders and Regulations including Martial Law  
Orders and Regulations

SENATE SECRETARIAT

*Islamabad, the 24th December, 1985*

The following Acts of Majlis-e-Shoora (Parliament) received the assent of the President on the 22nd December, 1985, and are hereby published for general information :

*An Act further to amend the Political Parties Act, 1962.*

WHEREAS it is expedient further to amend the Political Parties Act, 1962 (III of 1962), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Political Parties (Amendment) Act, 1985.

(2) It shall come into force at once.

2. **Amendment of section 3A, Act III of 1962.**—In the Political Parties Act, 1962 (III of 1962), hereinafter referred to as the said Act, in section 3A, the Explanation shall be omitted.

3. **Insertion of new section 8B, Act III of 1962.**—In the said Act, after section 8, the following new section shall be inserted, namely:—

“8B. *Disqualification on ground of defection, etc.*—(1) If a member of a House,—

- (a) having been elected as such as a candidate or nominee of a political party, or
- (b) having been elected as such otherwise than as a candidate or nominee of a political party and having become a member of a political party after such election,

defects or withdraws himself from the political party he shall, from the date of such defection or withdrawal, be disqualified from being a member of the House for the unexpired period of his term as such member, unless he has been re-elected at a bye-election held after his disqualification.

(2) If any question arises whether a member of a House has become disqualified under sub-section (1) from being a member, the question shall, on a reference by the Leader of the Parliamentary party concerned, be determined by the Election Commission.

(3) An appeal against a decision of the Election Commission under sub-section (2) shall lie to the Supreme Court, within thirty days of the decision.

*Explanation.*—In this section, “House” means a House of the Majlis-e-Shoora (Parliament) and includes a Provincial Assembly.”

4. **Addition of new sections 11 and 12, Act III of 1962.**—In the said Act, after section 10, the following new sections shall be added, namely:—

“11. *Exercise of powers, etc., of Election Commission.*—During the period when an Election Commission does not stand constituted, the Election Commission constituted under Article 218 of the Constitution or under the Election Commission Order, 1977 [P (P.P.) O. No. 4 of 1977], for the purpose of a general election to the National Assembly and to a Provincial Assembly shall continue to exercise the powers and perform the functions conferred upon the Election Commission under this Act until the constitution of an Election Commission for the purpose of the succeeding general election to the National Assembly and to a Provincial Assembly.

12. *Power to make rules.*—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.”

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M. A. HAQ,  
*Secretary.*