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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 4th June, 1976

The following Acts of Parliament received the assent of the President on the 19th May, 1976, and are hereby published for general information:—

ACT No. XXXVII OF 1976

An Act further to amend the Defence of Pakistan Ordinance, 1971

WHEREAS it is expedient further to amend the Defence of Pakistan Ordinance, 1971 (XXX of 1971), for the purpose hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution of the Islamic Republic of Pakistan is in force ;

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Defence of Pakistan (Second Amendment) Act, 1976.

(2) It shall come into force at once.

2. **Amendment of section 9, Ordinance XXX of 1971.**—In the Defence of Pakistan Ordinance, 1971 (XXX of 1971), section 9 shall be renumbered as sub-section (1) of that section and, after sub-section (1) renumbered as aforesaid, the following new sub-sections shall be added, namely :—

“(2) All cases relating to offences triable by a Special Tribunal and pending in any court immediately before the constitution of the Special Tribunal, or in a Special Tribunal constituted under section 8 immediately before the rescission of the notification constituting it, shall, on such constitution, stand transferred to the Special Tribunal having jurisdiction over such cases.

(3) In respect of cases transferred to a Special Tribunal by virtue of sub-section (2), such Special Tribunal shall not, by reason of the said transfer, be bound to recall and rehear any witness who has given evidence in the case before transfer and may act on the evidence already recorded by or produced before the court or Special Tribunal, as the case may be, which tried the case before the transfer.”