

[AS INTRODUCED IN THE SENATE]

**A
Bill**

further to amend the Pakistan Halal Authority Act, 2016

WHEREAS it is expedient further to amend the Pakistan Halal Authority Act, 2016 (VIII of 2016), in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and commencement. - (1) This Act may be called the Pakistan Halal Authority (Amendment) Act, 2023.

(2) It shall be applicable to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Amendment of section 2, Act VIII of 2016.- In the Pakistan Halal Authority Act, 2016 (VIII of 2016), hereinafter referred to as the said Act, in section 2,-

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

“(ha) **“Halal audit institution (s) or committee(s)”** means and institution or a committee working under the Accredited Halal Certification Body or formulated by the body as and when required, which conducts inspection and/ or testing of halal products through Inspector/s who have the ability to carry out the examination of halal products;

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

(la) **“Inspector”** means a person who has the ability and is specially qualified to carry out the examination of halal products and who ensures that a series of activities has been conducted that halal products include the provision of materials, processing, storage, packaging, distribution, sales and presentation;”

(c) after clause (r), the following new clause shall be inserted, namely:-

“(ra) **“products”** means goods and or/ services related to food, beverages, medicines, cosmetics, chemical products, biological products, products of genetic engineering, as well as the use of used goods by the community;”

3. Insertion of new section 12A, Act VIII of 2016.- In the said Act, after section 12, the following new section shall be inserted, namely:-

"12A. Powers and Functions of Accredited Halal Certification

Body. - The Body shall perform the following functions,-

- (a) To formulate and establish policies regarding Halal product guarantee;
- (b) Establish norms, standards, procedures and criteria regarding Halal product guarantee;
- (c) Issue and revoke Halal Certificate and Halal Label on the product;
- (d) Halal Certificate on registration of foreign products;
- (e) Socialization, education and publications of Halal products;
- (f) Accreditation of Audit institution that conducts inspection or / testing of Halal products;
- (g) Registration of Inspector/s;
- (h) Conduct training of Inspector/s;
- (i) Cooperation with domestic and foreign institutions in the field of organizing Halal product guarantees; and
- (j) Conduct training of Halal Auditors/inspectors:

Provided that in exercising authority the Body shall cooperate with relevant Ministries and/or institutions in this regard."

STATEMENT OF OBJECTS AND REASONS

The formation of Halal Authority in Pakistan is a very positive step in order to ensure that edibles as well other items of consumer use containing Haram ingredients are not being sold in the country. The formation of a regulatory mechanism in this regard would become effective only if the functions of the authority are properly being performed by her. In order to make the Halal Authority more functional and forceful in her decisions as well as implementation mechanism following considerations should be given due importance;

- i. Halal certification is the most complex process. Halal certification, unlike other leading types of food safety certifications, including ISO 22000 and FSSC 22000, is a product certification, meaning that each and every product needs to be separately certified. For the product to be halal, each and every ingredient, processing aid and packaging component as well as any units that process the product itself needs to comply to halal standards. Hence, the onus is on the procurement team to ensure that all raw materials being purchased are accompanied with a halal certificate or declaration. Hence amendments have been proposed in order to signify and specifically delineate the role and functions of an accredited halal certification body.

- ii. In addition to that, employing personnel/inspectors with halal operations and procurement experience is vital, and this is also increasingly a requirement by leading certification bodies. For example, The Emirates Authority for Standardization and Metrology (ESMA) UAE National Halal Mark Guidelines stipulate that halal operations must be overseen by managers with halal technical experience who are involved with the halal process. The Malaysian Halal Standard MS 1500 has strict requirements for personnel, requiring a minimum of four halal-competent personnel in multinational corporations, and a minimum of two halal personnel in Small- and Medium-sized enterprises (SMEs). Hence it has been suggested that the certification body in itself should carry on the process of selection, training and registration of the inspectors who have to conduct meticulous functions.
 - iii. In order to conduct an examination of products, items as well as ingredients used in making such products, the Accredited Certification Body needs to formulate committees that would assist her work at a large scale. The committees would be comprised of expert personnel.
2. The Bill has been designed to achieve the above purpose;

**SENATOR DR. ZARQA SUHARWARDY TAIMUR
MEMBER-IN-CHARGE**